

## SIXTY-FIFTH DAY

(Tuesday, May 4, 1937)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Calvert.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Heflin
Adkins	Herzik
Alexander	Holland
Alsup	Hoskins
Amos	Huddleston
Baker	Hull
Bates	Hyder
Beckworth	Jackson
Bell	James
Blankenship	Johnson of Ellis
Boethel	Johnson
Bond	of Tarrant
Boyer	Jones of Atascosa
Bradbury	Jones of Falls
Bradford	Jones of Wise
Bridgers	Keefe
Broadfoot	Keith
Brown	Kelt
Burton	Kern
Cagle	King
Callan	Knetsch
Carssow	Langdon
Cathey	Lankford
Cauthorn	Lanning
Celaya	Leath
Cleveland	Leonard
Colquitt	Leyendecker
Davis of Haskell	Little
Davis of Jasper	Loggins
Davison of Fisher	London
Davisson	Lucas
of Eastland	Mann
Dean	Mauritz
Deglandon	Mays
Derden	McConnell
Dickison	McCracken
England	McDonald
Farmer	McFarland
Felty	McKee
Fielden	McKinney
Fox	Metcalfe
Fuchs	Moffett
Gibson	Monkhouse
Graves	Morris
Hamilton	Morse
Hankamer	Newton
Harbin	Nicholson
Hardin	Oliver
Harper	Palmer
Harrell	Patterson
Harris of Archer	of Travis
Harris of Dallas	Petsch
Harris of Dickens	Pope
Hartzog	Powell

Prescott	Smith
Quinn	of Matagorda
Ragsdale	Smith of Tarrant
Reader	Stevenson
Reed of Bowie	Stinson
Reed of Dallas	Stocks
Rhodes	Talbert
Riddle	Tarwater
Roark	Tennant
Ross	Tennyson
Russell	Thornberry
Rutta	Thornton
Schuenemann	Vale
Settle	Waggoner
Sewell	Walker
Sharpe	Weldon
Shell	Westbrook
Simpson	Winfree
Skaggs	Wood
Smith of Hopkins	Worley

## Absent—Excused

Dollins	Jones of Angelina
Hanna	Kenyon
Howard	Patterson of Mills

A quorum was announced present.

Prayer was offered by Rev. George W. Coltrin, Chaplain.

## LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Patterson of Mills for today, on motion of Mr. McKee.

Mr. Howard for today, on motion of Mr. Thornberry.

Mr. Jones of Angelina for today, on motion of Mr. Jones of Wise.

Mr. Kenyon for today, on motion of Mr. Thornton.

Mr. McFarland temporarily for today, on motion of Mr. Tennyson.

Mr. Hanna for today, on motion of Mr. Sewell.

The following Member was granted leave of absence on account of illness:

Mr. Dollins for today, on motion of Mr. Roark.

## HOUSE BILLS ON FIRST READING

The following House bill, introduced today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

By Mr. Harris of Archer:

H. B. No. 1159, A bill to be entitled "An Act prohibiting the use of seines or nets in Clay County during March

and April; permitting the use of certain seines or nets at any time; repealing all laws in conflict with this Act; providing a penalty for violation of this Act, and declaring an emergency."

Referred to the Committee on Game and Fisheries.

Mr. Kelt moved to introduce, at this time, and have placed on first reading, House Bill No. 1158.

The motion prevailed by the following vote:

Yeas—105

Adkins	Jones of Wise
Alexander	Keith
Alsup	Kern
Baker	King
Bates	Knetsch
Bell	Langdon
Blankenship	Lankford
Boethel	Lanning
Bond	Leath
Boyer	Leonard
Bradbury	Leyendecker
Bradford	Little
Bridgers	Loggins
Broadfoot	London
Brown	Lucas
Burton	Mann
Callan	Mauritz
Cauthorn	Mays
Cleveland	McConnell
Davis of Jasper	McCracken
Davison of Fisher	McDonald
Davisson	McFarland
of Eastland	McKee
Dean	Moffett
Deglandon	Monkhouse
England	Morris
Farmer	Morse
Felty	Newton
Fielden	Nicholson
Fox	Oliver
Fuchs	Patterson
Gibson	of Travis
Graves	Powell
Hankamer	Prescott
Hardin	Quinn
Harper	Reed of Bowie
Harrell	Rhodes
Harris of Archer	Roark
Harris of Dallas	Russell
Heflin	Rutta
Herzik	Schuenemann
Hoskins	Sewell
Huddleston	Sharpe
Hyder	Shell
Jackson	Simpson
Johnson of Ellis	Skaggs
Johnson	Smith of Hopkins
of Tarrant	Smith
Jones of Atascosa	of Matagorda
Jones of Falls	Talbert

Tennant  
Thornberry  
Thornton  
Vale  
Waggoner

Weldon  
Westbrook  
Winfree  
Wood

Absent

Amos	McKinney
Beckworth	Metcalfe
Cagle	Palmer
Carssow	Petsch
Cathey	Pope
Celaya	Ragsdale
Colquitt	Reader
Davis of Haskell	Reed of Dallas
Derden	Riddle
Dickison	Ross
Hamilton	Settle
Harbin	Smith of Tarrant
Harris of Dickens	Stevenson
Hartzog	Stinson
Holland	Stocks
Hull	Tarwater
James	Tennyson
Keefe	Walker
Kelt	Worley

Absent—Excused

Dollins	Jones of Angelina
Hanna	Kenyon
Howard	Patterson of Mills

The Speaker then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. Kelt:

H. B. No. 1158, A bill to be entitled "An Act authorizing the Commissioners' Court in certain counties to allow each county commissioner to purchase and maintain a pick-up truck for use in each Commissioners' Precinct in connection with official business; providing the funds from which the cost of same shall be paid, and declaring an emergency."

Referred to the Committee on Counties.

Mr. Hull moved to introduce, at this time, and have placed on first reading, House Bill No. 1160.

The motion prevailed by the following vote:

Yeas—114

Alsup	Boethel
Amos	Boyer
Baker	Bradbury
Bates	Bradford
Beckworth	Bridgers
Bell	Brown
Blankenship	Burton

Callan	London
Carssow	Lucas
Cathey	Mann
Cauthorn	Mauritz
Cleveland	Mays
Davis of Haskell	McConnell
Davis of Jasper	McFarland
Davison of Fisher	McKee
Davisson	Metcalfe
of Eastland	Moffett
Deglandon	Monkhouse
Derden	Morris
Dickison	Morse
England	Newton
Farmer	Nicholson
Felty	Oliver
Fielden	Patterson
Gibson	of Travis
Graves	Pope
Hamilton	Powell
Hankamer	Quinn
Harbin	Reed of Bowie
Hardin	Reed of Dallas
Harper	Rhodes
Harris of Archer	Riddle
Harris of Dallas	Ross
Harris of Dickens	Russell
Heflin	Rutta
Herzik	Schuenemann
Holland	Settle
Hoskins	Sharpe
Huddleston	Shell
Hull	Simpson
Hyder	Skaggs
Jackson	Smith of Hopkins
James	Smith
Johnson of Ellis	of Matagorda
Johnson	Smith of Tarrant
of Tarrant	Stocks
Jones of Atascosa	Talbert
Jones of Wise	Tennant
Kelt	Tennyson
Kern	Thornberry
King	Thornton
Knetsch	Vale
Langdon	Waggoner
Lankford	Walker
Lanning	Weldon
Leonard	Westbrook
Leyendecker	Winfree
Little	Wood
Loggins	Worley

## Absent

Adkins	Harrell
Alexander	Hartzog
Bond	Jones of Falls
Broadfoot	Keefe
Cagle	Keith
Celaya	Leath
Colquitt	McCracken
Dean	McDonald
Fox	McKinney
Fuchs	Palmer

Petsch	Sewell
Prescott	Stevenson
Ragsdale	Stinson
Reader	Tarwater
Roark	

## Absent—Excused

Dollins	Jones of Angelina
Hanna	Kenyon
Howard	Patterson of Mills

The Speaker then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. Hull, Mr. Amos, Mr. Johnson of Tarrant, Mr. Farmer and Mr. Smith of Tarrant:

H. B. No. 1160, A bill to be entitled "An Act amending Title 28, Chapter 20, Revised Civil Statutes of 1925, by adding a new Article thereto to be known as Article 1265a; providing that any city having a population of more than 150,000 and less than 200,000, as shown by the preceding Federal Census, shall have power and authority to amend its charter so as to extend its boundary limits, where the territory so annexed does not include any incorporated city, town or village having more than 5,000 inhabitants according to the preceding Federal Census; providing the manner such extension shall be effected; providing this Act shall be cumulative of charter provisions, and declaring an emergency."

Referred to the Committee on Municipal and Private Corporations.

## BILLS ORDERED NOT PRINTED

On motion of Mr. Carssow, House Bill No. 1143 was ordered not printed.

On motion of Mr. Boyer, House Bill No. 1156 was ordered not printed.

On motion of Mr. Boyer, Senate Bill No. 486 was ordered not printed.

On motion of Mr. Hull, House Bill No. 1160 was ordered not printed.

TO PROVIDE FOR THE CON-  
SIDERATION OF LOCAL  
AND UNCONTESTED  
BILLS

Mr. Gibson moved that the House convene this evening for the purpose of considering local and uncontested bills.

The motion prevailed.

# TO GRANT PERMISSION TO SUE THE STATE

Mr. Skaggs offered the following resolution:

H. C. R. No. 117, To grant H. J. Birdsong permission to sue the State.

Whereas, H. J. Birdsong, of Red River County, Texas, an employee under the WPA Road Improvement Project of the Detroit-Woodland Public Road in Red River County, Texas, claims damages against the State Highway Department of Texas and/or the State of Texas for injuries sustained to his left foot and ankle as a result of a State Highway Department truck, using said road for traffic purposes in transferring road materials from one point to another, and driven by an employee of the State Highway Department, to-wit, Ernest McPeck, running over the said left foot and ankle of the claimant on the 16th day of December A. D., 1935, said injury occurring about one-half mile north of what is known as the Bud Ward Place, on the said Detroit-Woodland Public Road, in Red River County, Texas, and totally and permanently injuring claimant insofar as his left foot and ankle are concerned; and

Whereas, The said claimant contends that the damages suffered by him as a result of said injury were directly and proximately caused by the negligence of the State Highway Department of Texas, and its employee or employees, in driving a State Highway Department truck too near to men at work upon said road project, and failing to stop upon being signalled by WPA Road Project Foreman to stop, and as a result thereof injuring the claimant in the manner as hereinabove described, claimant having his back to the approach of said State Highway Department truck and not seeing same or being aware of its presence until he was injured by said truck as aforesaid;

Whereas, The claimant has not been compensated for the damages sustained by him on account of the injuries he has sustained at the hands of the State Highway Department of Texas, and its employee or employees, as aforesaid;

Whereas, Suit cannot be maintained against the State of Texas, and the State Highway Department of Texas, without permission of the Legislature

of the State of Texas; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the said H. J. Birdsong, be and he is hereby granted permission to bring suit against the State of Texas and the Highway Department of the State of Texas, for damages sustained by him on account of his injuries as hereinbefore alleged, in any Court of competent jurisdiction, in Red River County, Texas, at any time within two years from the date this resolution takes effect; and that such suit upon said cause of action shall be tried and determined in the trial and appellate courts according to the same rules of law and procedure as to liability and defense that would be applicable if such suit were against an ordinary Texas corporation; and that process issued in such suit may be served upon the Governor of the State of Texas, the Attorney General of the State of Texas, and the Chairman of the Highway Commission of Texas; and, be it further

Resolved, That any judgment which may be recovered by reason of the prosecution of such suit shall be, and constitute, a liquidated debt and shall be paid by the Highway Commission of Texas out of the State Highway Funds.

The resolution was read second time, and referred to the Committee on State Affairs.

## MESSAGE FROM THE SENATE

Austin, Texas, May 4, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

H. B. No. 126, A bill to be entitled "An Act providing that county courts without the necessity of trial by jury may temporarily commit mentally-ill persons not charged with criminal offense to State mental hospitals, for not exceeding ninety days for observation and/or treatment; providing temporary commitment may also be made to United States Veterans Bureau and other United States Government operated hospitals in those cases where such agency of the United States will accept such mentally-ill persons; providing the adjudication of mental illness, the temporary commitment of persons so afflicted, and their discharge, furlough and release;

providing for the payment of their transportation, support and treatment charges protecting property rights; providing that if any portion of the Act is declared unconstitutional and invalid it shall not affect the remaining parts, and declaring an emergency."

H. B. No. 260, A bill to be entitled "An Act amending Article 5142A of the Revised Civil Statutes of Texas as adopted by the Forty-second Legislature, Acts, 1931, page 759, Chapter 302, paragraph 1, concerning the qualifications, duties, appointments, salaries, and removal of Probation Officers, and declaring an emergency." (With amendments.)

H. B. No. 410, A bill to be entitled "An Act providing that County Commissioners Courts of this State in conjunction with municipal governments of incorporated cities of population exceeding 15,000 at the last preceding Federal Census, where said cities are county seats of counties may appoint case-workers and investigators to make investigations of needy persons to whom may be supplied necessities furnished by the Texas Relief Commission, any proper Federal agency, or by counties and cities or any one of said agencies, commission cities or counties; provided said counties and municipalities may pay not to exceed Twelve Hundred (\$1,200.00) Dollars per annum salary to such case-worker and investigator; providing the duties and qualifications of said case-workers and investigators, and declaring an emergency." (With amendment.)

H. B. No. 1074, A bill to be entitled "An Act to change and prescribe the time for holding district court of the Ninth Judicial District of the State of Texas; and to conform all writs and processes of such court to such changes, and make all writs and processes issued or served before this Act takes effect, including recognizances and bonds, returnable to the terms of court in the several counties in said District, as herein fixed, and to validate the summoning of grand and petit jurors, and juries; and providing for the continuation of court in session in said District when this Act takes effect, to the end of its term; and repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

H. B. No. 1116, A bill to be entitled "An Act making it unlawful for any

citizen of this State not a resident of McLennan County to catch or attempt to catch any fish from the waters of McLennan County without having first procured a fishing license, excepting those under seventeen (17) years of age; . . . etc., and declaring an emergency." (With amendment.)

H. B. No. 1122, A bill to be entitled "An Act amending Article 1645, Revised Civil Statutes of Texas, 1925, as amended by Chapter 35, Acts of the Fortieth Legislature, First Called Session as amended by Chapter 28, Acts of the Forty-first Legislature, First Called Session, as amended by Chapter 15, Acts of the Forty-second Legislature, Second Called Session by adding thereto a new section to be known as Article 1645a providing for county auditors in counties containing a population of not less than 19,150 nor more than 19,175 according to the last preceding Federal Census providing for their compensation and the fund from which it shall be paid, and declaring an emergency."

H. B. No. 669, A bill to be entitled "An Act repealing Article 726a, Chapter 3 of the Penal Code, being page 52, Chapter 29, of the General and Special Laws of the Forty-third Legislature, Third Called Session, and declaring an emergency."

H. B. No. 899, A bill to be entitled "An Act amending Article 5746, Revised Civil Statutes, of the State of Texas, 1925, as amended by the Acts of 1930, Forty-first Legislature, Fourth Called Session, page 12, Section 5, relating to Co-operative Marketing Associations, and providing for the manner of determining the value of and payment for the interests of a member upon his death, expulsion or withdrawal or the forfeiture of his membership, in the event that no other provision is made therefor in the by-laws of such Association, and declaring an emergency." (With amendment.)

H. B. No. 999, A bill to be entitled "An Act validating the incorporation of certain cities and towns of more than six hundred (600) and less than two thousand (2,000) inhabitants which have heretofore incorporated under the General Laws of Texas, Title 28, Revised Civil Statutes of Texas, 1925, and declaring an emergency." (With amendments.)

H. B. No. 1010, A bill to be entitled "An Act establishing a County Law

Library in counties in this State having three or more District Courts sitting for all of its terms or some of its terms with both civil and criminal jurisdiction, none of which have more than four terms a year and one which sits and has jurisdiction in not less than two other counties; providing a fund to be administered by the Commissioners' Court to be raised by collecting \$1.00 as costs in each case filed in any of said Courts in said county except delinquent tax suits and including all Civil and Criminal County Courts or District Courts; providing, however, that the county shall in no event be liable for any cost in any civil or criminal case; providing for a custodian or librarian and his salary; providing for housing and management, and declaring an emergency."

Respectfully,  
BOB BARKER,  
Secretary of the Senate.

#### TO PROVIDE FOR ADJOURNMENT SINE DIE

Mr. Colquitt offered the following resolution:

H. C. R. No. 118, To provide for adjournment sine die.

Whereas, The one hundred and twenty days of the Regular Session of the Legislature will expire May 11, 1937; and

Whereas, A great number of bills are on the calendar of both the House of Representatives and the Senate for consideration; and

Whereas, It is evident that many of said bills will not receive consideration at the Regular Session of this Legislature; and

Whereas, There are certain emergency measures including appropriations during the Regular Session of the Legislature; and

Whereas, Said Legislature should adjourn promptly at the expiration of the one hundred and twenty (120) day period of said Regular Session; now, therefore, be it

Resolved by the House of Representatives of the Forty-fifth Legislature, the Senate concurring, That the Regular Session of the Forty-fifth Legislature stand adjourned sine die at 12:00 o'clock, noon, May 11, 1937.

COLQUITT,  
JONES of Atascosa,  
POWELL,  
RUTTA.

The resolution was read second time.

Mr. Jones of Atascosa offered the following substitute for the resolution:

Whereas, The one hundred twenty day session of the Legislature will expire at midnight on the twelfth instant; and

Whereas, At that date the per diem of the Members of the Legislature will be reduced from Ten Dollars per day to Five Dollars per day; and

Whereas, The calendar of the Legislature is congested and progress toward the clearing of said calendar can not reasonably be expected during the Regular Session of the Legislature; and

Whereas, It is important and highly desirable that a day certain be named when the Legislature shall adjourn sine die; and

Whereas, Unless a day certain is named we will not know when the Rules of the House with reference to the limitation of discussion of bills, the Seventy-two Hour Rule, the Forty-eight Hour Rule and other matters of procedure apply; now, therefore, be it

Resolved by the House of Representatives of the Forty-fifth Legislature, the Senate concurring, That the Regular Session of the Forty-fifth Legislature adjourn sine die on Friday, May 14, 1937, at twelve o'clock noon.

Mr. Metcalfe moved to table the resolution by Mr. Colquitt.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

#### Yeas—75

Alsup	Dickison
Amos	England
Bates	Farmer
Beckworth	Felty
Bell	Fielden
Boethel	Graves
Bond	Hamilton
Bradbury	Harbin
Bradford	Harper
Broadfoot	Harris of Archer
Brown	Harris of Dickens
Cagle	Hartzog
Callan	Herzik
Cathay	Holland
Cauthorn	Hoskins
Cleveland	James
Davis of Haskell	Johnson
Davis of Jasper	of Tarrant
Davison of Fisher	Jones of Wise
Deglandon	Kelt
Derden	Kern

King	Quinn
Lankford	Ragsdale
Lanning	Reed of Dallas
Leath	Rhodes
London	Riddle
Lucas	Roark
Mann	Ross
Mays	Sewell
McConnell	Sharpe
McKee	Simpson
Metcalfe	Skaggs
Moffett	Smith of Hopkins
Morris	Tennant
Newton	Tennyson
Nicholson	Thornberry
Patterson	Weldon
of Travis	Wood
Petsch	

## Nays—59

Adkins	Mauritz
Blankenship	McCracken
Boyer	McDonald
Bridgers	McFarland
Burton	Monkhouse
Carsow	Morse
Celaya	Oliver
Colquitt	Palmer
Davisson	Powell
of Eastland	Prescott
Dean	Reader
Fox	Reed of Bowie
Gibson	Russell
Hankamer	Rutta
Hardin	Schuenemann
Harris of Dallas	Settle
Heflin	Shell
Huddleston	Smith
Hull	of Matagorda
Hyder	Smith of Tarrant
Jackson	Stinson
Johnson of Ellis	Stocks
Jones of Atascosa	Talbert
Jones of Falls	Tarwater
Keith	Thornton
Knetsch	Vale
Langdon	Waggoner
Leonard	Walker
Leyendecker	Westbrook
Little	Winfree
Loggins	

## Absent

Alexander	McKinney
Baker	Pope
Fuchs	Stevenson
Harrell	Worley
Keefe	

## Absent—Excused

Dollins	Jones of Angelina
Hanna	Kenyon
Howard	Patterson of Mills

MEMORIALIZING CONGRESS IN  
REGARD TO CERTAIN  
LEGISLATION

Mr. Fuchs offered the following resolution:

Whereas, Farm products such as cotton, wheat and corn are World Commodities, and are valued uniformly in terms of gold; and

Whereas, Any change in the price of gold would be reflected immediately in the prices of such World Commodities; and

Whereas, A decrease in the price of gold would mean an automatic increase in the gold content of the dollar, and a corresponding decrease in the world price of such commodities; and

Whereas, The prices of farm products are not yet high enough to permit farmers to produce at a profit; and

Whereas, The Constitution of the United States confers upon Congress the exclusive power to coin money and to regulate the value thereof; therefore, be it

Resolved by the House of Representatives of Texas, That the Congress of the United States and the Government at Washington be memorialized to not decrease the price of gold and thereby increase the value of the dollar and bring about an immediate and positive decrease in the value of farm commodities to the detriment of thirty million farmers and their families, and to the detriment of cities, towns, industries and wage earners depending upon farm purchasing power for their support and existence; and, be it further

Resolved, That a copy of this resolution be sent to the President of the United States, the Secretary of Agriculture, Henry A. Wallace, Hon. Ellison B. Smith, Chairman of the Senate Agricultural Committee, Hon. Marvin Jones, Chairman of the House Agricultural Committee, Hon. Jesse Jones, Chairman of the Reconstruction Finance Corporation of Washington, D. C., Senator Morris Sheppard, Senator Tom Connally, Hon. John N. Garner, Vice President of the United States, and Hon. Lyndon B. Johnson, Member of Congress.

FUCHS,  
TARWATER,  
RAGSDALE,  
BRADBURY,  
MOFFETT,  
JONES of Atascosa,

HERZIK,  
ALEXANDER,  
HARRIS of Archer,  
POWELL,  
HAMILTON,  
DAVIS of Haskell,  
DAVIS of Jasper,  
RUTTA,  
BELL.

The resolution was read second time.

Mr. Jones of Atascosa offered the following amendment to the resolution:

Amend the resolution, by inserting after the first resolving clause in said resolution the following: "and, be it further

Resolved, That the House of Representatives of the State of Texas go on record as approving the program of the President regarding the stabilization of industry by preserving a proper parity between the purchasing power of gold as an exchange and the commodity sold or to be sold by the manufacturer and/or the producer, and also as indorsing his program relative to the conservation of natural resources, the equalization of opportunity of the great masses of people who labor, the agricultural adjustment program, the outlawing of wars and the re-vitalizing of the Supreme Court."

JONES of Atascosa,  
JONES of Wise,  
MAURITZ,  
BELL,  
DERDEN.

Mr. Moffett raised a point of order, on further consideration of the amendment, on the ground that the amendment is not germane to the resolution.

The Speaker overruled the point of order.

Mr. Johnson of Ellis moved to refer the resolution by Mr. Fuchs to the Committee on Federal Relations.

Mr. Tarwater moved, as a substitute motion, to refer the resolution to the Committee on Agriculture.

The substitute motion by Mr. Tarwater prevailed.

#### MESSAGE FROM THE SENATE

Austin, Texas, May 4, 1937.  
Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

S. B. No. 298, A bill to be entitled

"An Act to make the laws of Texas relating to the National Guard compatible with the Constitution and Laws of the United States as required by Section 46 of Article 16 of the Constitution of Texas, by amending the following Articles of the Civil Statutes of Texas as revised in the year 1925: Article 5780 so as to permit maintenance of all the troops allocated to Texas under Federal Laws, Article 5839 so as to make nomenclature conform to Federal Laws, and Article 5858 so as to make offenses condemned by military law and courts-martial procedure conform to that of Federal law and regulations; to repeal any and all laws in conflict herewith."

S. B. No. 469, A bill to be entitled "An Act creating a Special Road Law for Motley County, Texas, providing that said County may fund or refund the indebtedness outstanding against its road and bridge fund as of January 11, 1937, by the issuance of funding bonds, and setting forth the method of operation; providing that the General Laws pertaining to roads and bridges shall be applicable to said County, when not in conflict with the provisions hereof; repealing all laws in conflict herewith; enacting provisions incident and relating to the subject and purpose of this Act, and declaring an emergency."

S. B. No. 179, A bill to be entitled "An Act making appropriations to pay miscellaneous claims out of the General Fund; authorizing the payment of certain sums out of the Highway Fund; authorizing payment of certain miscellaneous claims out of the funds of the Game, Fish and Oyster Commission, Texas Railroad Commission, State Park Board, Texas Prison System; providing further that payments shall be made after audit of claim shall have been made by the State Auditor and/or Comptroller and approved by the Attorney General; making appropriation to the Governor to pay expenses of returning fugitives on Governor's requisitions; granting certain persons permission to sue the State; and declaring an emergency."

S. B. No. 471, A bill to be entitled "An Act empowering and authorizing cities and towns in the State of Texas having a population in excess of 230,000 and not exceeding 232,000, according to the last preceding



or any future Federal Census, to enact ordinances governing operation of all motor vehicles upon the public thoroughfares of such cities; providing that said ordinances may require testing and inspecting such motor vehicles at stated times and approval by the testing and inspecting authorities, including the State Highway Patrol; providing certain exceptions thereto; permitting the fixing of penalties for violating said ordinances; authorizing city patrolmen and State Highway patrolmen in uniform to issue traffic tickets for violations of said ordinances; authorizing such cities to acquire, establish, erect, equip, improve, enlarge, repair, operate, and maintain motor vehicles testing stations to prescribe and collect a fee for such tests and for the disposition of such fees; authorizing said cities to mortgage or encumber said stations to borrow money and issue warrants to finance said stations and to pledge said fees and receipts for payment of said indebtedness; providing a saving clause; repealing all conflicting laws, and declaring an emergency."

S. B. No. 489, A bill to be entitled "An Act to fix the maximum rate of tax to be levied for school purposes in all independent school districts which include within their limits a city or town which according to the latest Federal Census had a population of not less than 4,750 and not more than 4,850, whether organized under general or special law, repealing all laws in conflict herewith, both general and special, and declaring an emergency."

H. B. No. 1076, A bill to be entitled "An Act making certain emergency appropriations out of the General Fund of the State of Texas for the support and maintenance of the Board of Pardons and Paroles of Texas, created by an amendment to the Constitution of the State of Texas adopted at the November General election, 1936, and which became effective February 1st, 1937, for the balance of the fiscal year, beginning February 1st, 1937, and ending August 31st, 1937, and declaring an emergency." (With amendments.)

S. B. No. 492, A bill to be entitled "An Act providing that Limestone County, Texas, may fund or refund the indebtedness outstanding against its Permanent Improvement Fund as of May 1st, 1937; setting forth the

method of operation; validating the indebtedness proposed to be funded or refunded; validating all Acts and proceedings heretofore had by the commissioners' court of said county, and officers thereof, in respect to the funding or refunding of said indebtedness; and providing that this law shall be cumulative of General Law pertaining to funding and refunding bonds not in conflict herewith; repealing all laws in conflict herewith, and declaring an emergency."

S. B. No. 497, A bill to be entitled "An Act amending the 'Lower Colorado River Authority Act', Chapter 7, Acts of the Fourth Called Session of the Forty-third Legislature, by adding a new Section to be known as Section 14-a, to provide that nothing in Section 14 or elsewhere in said Act shall prohibit the district from acquiring property from or selling property to the City of Austin upon such terms and conditions, and entering into such contractual relations thereto, as the district and the city may mutually agree upon, and declaring an emergency."

S. B. No. 498, A bill to be entitled "An Act amending Article 3935, Revised Civil Statutes of Texas, adopted at the Regular Session of the Thirty-ninth Legislature, 1925, providing for certain fees of office for justices of the peace; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

S. B. No. 505, A bill to be entitled "An Act amending Article 2797, Revised Civil Statutes of Texas, and declaring an emergency."

Respectfully,

BOB BARKER,

Secretary of the Senate.

#### HOUSE BILL NO. 1116 WITH SENATE AMENDMENTS

Mr. Celaya called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 1116, A bill to be entitled "An Act making it unlawful for any citizen of this State not a resident of McLennan County to catch or attempt to catch any fish from the waters of McLennan County without having first procured a fishing license, excepting those under seventeen (17) years of age; . . . etc., and declaring an emergency."

The Speaker laid the bill before the House with the Senate amendments.

Mr. Celaya moved that the House concur in the Senate amendments.

Mr. Wood raised a point of order, on consideration of the Senate amendments, on the ground that the amendments violate Section 30 of Article III of the Constitution.

The Speaker sustained the point of order.

#### GRANTING PERMISSION TO SUE THE STATE

The Speaker laid before the House, for consideration at this time, House Concurrent Resolution No. 89, Granting Mrs. Mary Esther Ramsey permission to sue the State.

The resolution having heretofore been read second time and referred to the Committee on State Affairs.

The Committee on State Affairs having recommended the adoption of the resolution.

The resolution was adopted.

#### GRANTING PERMISSION TO SUE THE STATE

The Speaker laid before the House, for consideration at this time, House Concurrent Resolution No. 90, Granting Mr. R. L. Gillespie permission to sue the State.

The resolution having heretofore been read second time and referred to the Committee on State Affairs.

The Committee on State Affairs having recommended the adoption of the resolution.

The resolution was adopted.

#### REQUEST OF SENATE GRANTED

Mr. Morse moved that the House grant the request of the Senate for a conference committee to adjust the differences between the two Houses in Senate Bill No. 476.

The motion prevailed.

Mr. Wood submitted the following motion:

"I moved that the conference committee on Senate Bill No. 476 be instructed to retain the provisions relating to the audit of the expenditure of the said funds."

The motion by Mr. Wood prevailed.

#### CONFERENCE COMMITTEES APPOINTED

The Speaker announced the appointment of the following conference

committee, on the part of the House, on House Bill No. 774:

Messrs. Celaya, Petsch, Cauthorn, Newton and Broadfoot.

The Speaker announced the appointment of the following conference committee, on the part of the House, on House Bill No. 352:

Messrs. Tennant, Morris, Callan, Amos and Burton.

The Speaker announced the appointment of the following conference committee, on the part of the House, on House Bill No. 560:

Messrs. Alexander, Harris of Dickens, Settle, Kern and Cathey.

The Speaker announced the appointment of the following conference committee, on the part of the House, on Senate Bill No. 476:

Messrs. Morse, Wood, Boethel, Stevenson and Mann.

#### HOUSE BILL NO. 410 WITH SENATE AMENDMENTS

Mr. Wood called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 410, A bill to be entitled "An Act providing that County Commissioners Courts of this State in conjunction with municipal governments of incorporated cities of population exceeding 15,000 at the last preceding Federal Census, where said cities are county seats of counties may appoint case-workers and investigators to make investigations of needy persons to whom may be supplied necessities furnished by the Texas Relief Commission, any proper Federal agency, or by counties and cities or any one of said agencies, commission cities or counties; provided said counties and municipalities may pay not to exceed Twelve Hundred (\$1,200.00) Dollars per annum salary to such case-worker and investigator; providing the duties and qualifications of said case-workers and investigators, and declaring an emergency."

The Speaker laid the bill before the House with the Senate amendments.

On motion of Mr. Wood, the House concurred in the Senate amendments by the following vote:

Yeas—119

Alexander  
Alsup

Amos  
Baker

Beckworth	Lankford
Bell	Lanning
Blankenship	Leonard
Boethel	Leyendecker
Boyer	Little
Bradbury	Loggins
Bradford	London
Bridgers	Lucas
Brown	Mann
Burton	Mauritz
Cagle	Mays
Callan	McConnell
Carsow	McFarland
Cathey	Metcalfe
Cauthorn	Moffett
Celaya	Monkhouse
Cleveland	Morris
Davis of Haskell	Morse
Davis of Jasper	Newton
Davison of Fisher	Nicholson
Davisson	Oliver
of Eastland	Palmer
Deglandon	Patterson
Derden	of Travis
Dickison	Pope
England	Powell
Farmer	Reed of Bowie
Felty	Reed of Dallas
Fielden	Rhodes
Fox	Riddle
Gibson	Ross
Hamilton	Russell
Hankamer	Rutta
Harbin	Schuenemann
Hardin	Settle
Harper	Sewell
Harrell	Sharpe
Harris of Archer	Shell
Harris of Dallas	Simpson
Harris of Dickens	Skaggs
Hartzog	Smith of Hopkins
Heflin	Smith
Herzik	of Matagorda
Holland	Smith of Tarrant
Hoskins	Stocks
Huddleston	Talbert
Hull	Tarwater
Hyder	Tennant
Jackson	Tennyson
James	Thornberry
Johnson of Ellis	Thornton
Johnson	Vale
of Tarrant	Waggoner
Jones of Atascosa	Walker
Jones of Wise	Weldon
Kelt	Westbrook
Kern	Winfree
King	Wood
Knetsch	Worley
Langdon	

Present—Not Voting

Quinn

Absent

Adkins

Bates

Bond	McDonald
Broadfoot	McKee
Colquitt	McKinney
Dean	Petsch
Fuchs	Prescott
Graves	Ragsdale
Jones of Falls	Reader
Keefe	Roark
Keith	Stevenson
Leath	Stinson
McCracken	

Absent—Excused

Dollins	Jones of Angelina
Hanna	Kenyon
Howard	Patterson of Mills

HOUSE BILL NO. 132 WITH  
SENATE AMENDMENTS

Mr. Tennyson called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 132, A bill to be entitled "An Act amending Section 3 of Article 1108, Chapter 10, Title 28, Revised Civil Statutes of Texas, 1925, as amended by Chapter 207, page 496 of the General and Special Laws passed by the Regular Session of the Forty-fourth Legislature, and declaring an emergency."

The Speaker laid the bill before the House with the Senate amendments.

Mr. Tennyson moved that the House do not concur in the Senate amendments, and that a conference committee be requested to adjust the differences between the two Houses on the bill.

The motion prevailed.

In accordance with the above action, the Speaker announced the appointment of the following conference committee: Messrs. Tennyson, Bell, Langdon, Harris of Archer and Smith of Matagorda.

## PROVIDING FOR JOINT RULES

The Speaker laid before the House, for consideration, at this time, House Concurrent Resolution No. 116, Providing for the adoption of Joint Rules of the House and Senate, same having been printed in Journal of May 3.

The resolution having been read second time and referred to the Committee on Rules.

The Committee on Rules having recommended the adoption of the res-

olution with the following committee amendment:

Amend Sections 20 and 21, by inserting the word "calendar" between the words "next" and "day" in the last clause of each section.

The committee amendment was adopted.

Mr. Morse offered the following amendment to the resolution:

Amend the resolution, by striking out the word "only" in the first line of Sections 20 and 21 and inserting the word "only" before the second line in each of these sections.

MORSE,  
MOFFETT.

The amendment was adopted.

The resolution, as amended, was then adopted.

#### RESOLUTIONS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled resolutions:

S. C. R. No. 59, Granting J. A. Thedford permission to sue the State.

S. C. R. No. 55, Granting Dr. H. R. Allman permission to sue the State.

#### SPECIAL ORDER SET

Mr. Hardin moved to set, as a special order, House Bill No. 398, for tomorrow at 11:00 o'clock a. m.

Question recurring on the motion by Mr. Hardin, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—110

Adkins	Cathey
Alsup	Cauthorn
Amos	Celaya
Baker	Cleveland
Bates	Colquitt
Beckworth	Davis of Haskell
Blankenship	Davis of Jasper
Boethel	Davison of Fisher
Bond	Davisson
Boyer	of Eastland
Bradbury	Dean
Bradford	Deglandon
Bridgers	Derden
Brown	Dickison
Burton	England
Callan	Farmer

Felty	Oliver
Fielden	Palmer
Fox	Patterson
Gibson	of Travis
Graves	Petsch
Hamilton	Pope
Harbin	Powell
Hardin	Prescott
Harrell	Quinn
Harris of Archer	Ragsdale
Harris of Dickens	Reed of Bowie
Herzik	Rhodes
Holland	Riddle
Hull	Roark
Hyder	Ross
James	Russell
Johnson of Ellis	Rutta
Jones of Atascosa	Settle
Jones of Wise	Sharpe
Keefe	Shell
Keith	Simpson
Kelt	Smith of Hopkins
Kern	Smith
King	of Matagorda
Langdon	Stevenson
Lankford	Stocks
Lanning	Talbert
Leyendecker	Tarwater
Loggins	Tennant
London	Tennyson
Lucas	Thornberry
Mauritz	Thornton
McConnell	Vale
McDonald	Waggoner
McFarland	Walker
McKee	Weldon
Metcalfe	Westbrook
Moffett	Winfree
Monkhouse	Wood
Morris	Worley
Nicholson	

Nays—10

Bell	Johnson
Hankamer	of Tarrant
Harris of Dallas	Morse
Hartzog	Reed of Dallas
Heflin	Schuenemann
Jackson	

Present—Not Voting

Harper

Absent

Alexander	Little
Broadfoot	Mann
Cagle	Mays
Carssow	McCracken
Fuchs	McKinney
Hoskins	Newton
Huddleston	Reader
Jones of Falls	Sewell
Knetsch	Skaggs
Leath	Smith of Tarrant
Leonard	Stinson

## Absent—Excused

Dollins                      Jones of Angelina  
Hanna                        Kenyon  
Howard                       Patterson of Mills

RELATING TO APPOINTMENT  
OF A COMMITTEE TO  
MAKE CERTAIN IN-  
VESTIGATION

The Speaker laid before the House, for consideration, at this time, resolution heretofore offered by Mr. Sharpe, to provide for certain investigation in regard to the prices of cement.

The resolution having been read second time on last Monday.

Mr. Petsch offered the following amendment to the resolution:

Amend resolution resolving clause, by adding to end of Section 1 an additional paragraph to be known as Section 1-a and which shall read as follows:

"Said committee shall also investigate any and all other manufacturers, brokers and bidders whose bids on State purchases are substantially identical and indicate a combination or agreements between bidders apparently violative of the State anti-trust laws."

The amendment was adopted.

Mr. Sharpe offered the following amendment to the resolution:

Amend the resolution, by amending Section 4, page 5, by striking out the following:

"Said committee may call on the Attorney General's Department for assistance and advice and it shall be the duty of the Attorney General's Department to render opinions, give counsel and assistance to said committee upon the request of the Chairman of the Committee or members thereof."

And substitute in lieu thereof:

"Said committee may call on the Attorney General's Department for assistance and advice and the Attorney General's Department is respectfully requested to render opinions, give counsel and assistance to said committee upon the request of the Chairman of the Committee or members thereof."

The amendment was adopted.

Mr. Lanning offered the following amendment to the resolution:

Amend the resolution as follows:

"The total amount of money expended by the committee shall not exceed \$500.00, and no obligations shall be made unless approved and voted by a majority of the members of the committee, and approved by the Chairman of the Contingent Expense Committee."

Mr. Petsch moved to table the amendment by Mr. Lanning.

Question recurring on the motion to table, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—56

Amos	Jones of Wise
Bates	Kern
Beckworth	Knetsch
Bell	Lankford
Bond	Leath
Brown	Mauritz
Cathey	McKinney
Cauthorn	Moffett
Cleveland	Monkhouse
Colquitt	Morse
Davis of Haskell	Nicholson
Davison of Fisher	Palmer
Davison	Patterson
of Eastland	of Travis
Deglandon	Petsch
England	Powell
Farmer	Prescott
Fielden	Rhodes
Fox	Riddle
Fuchs	Ross
Gibson	Russell
Graves	Sharpe
Hamilton	Stocks
Harper	Talbert
Harrell	Tennant
Harris of Dickens	Thornberry
Hartzog	Waggoner
Johnson	Winfree
of Tarrant	Worley
Jones of Atascosa	

Nays—74

Adkins	Dickison
Alexander	Felty
Alsup	Hankamer
Baker	Harbin
Blankenship	Hardin
Boethel	Harris of Archer
Boyer	Harris of Dallas
Bradbury	Heflin
Bradford	Holland
Bridgers	Huddleston
Burton	Hull
Cagle	Hyder
Callan	Jackson
Davis of Jasper	James
Dean	Johnson of Ellis
Derden	Jones of Falls

Keefe	Roark
Keith	Rutta
King	Schuenemann
Langdon	Settle
Lanning	Sewell
Leyendecker	Shell
Little	Simpson
Loggins	Skaggs
London	Smith of Hopkins
Lucas	Smith
McCracken	of Matagorda
McDonald	Smith of Tarrant
McKee	Stinson
Metcalfe	Tarwater
Morris	Tennyson
Newton	Thornton
Pope	Vale
Quinn	Walker
Ragsdale	Weldon
Reader	Westbrook
Reed of Bowie	Wood
Reed of Dallas	

## Present—Not Voting

Kelt	McConnell
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## Absent

Broadfoot	Leonard
Carssow	Mann
Celaya	Mays
Herzik	Oliver
Hoskins	Stevenson

## Absent—Excused

Dollins	Kenyon
Hanna	McFarland
Howard	Patterson of Mills
Jones of Angelina	

Question then recurring on the amendment by Mr. Lanning, it was adopted.

Mr. Brown offered the following amendment to the resolution:

Amend the resolution, by striking out "seven investigators" and inserting in lieu thereof the following: "five investigators".

The amendment was adopted.

Mr. Harris of Dallas offered the following amendment to the resolution:

Ament the resolution, by adding the following:

"That no author or co-author of the resolution shall be appointed as a member of this investigating committee."

Question—Shall the amendment by Mr. Harris of Dallas be adopted?

## HOUSE BILL NO. 999 WITH SENATE AMENDMENTS

Mr. Morse called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 999, A bill to be entitled "An Act validating the incorporation of certain cities and towns of more than six hundred (600) and less than two thousand (2,000) inhabitants which have heretofore incorporated under the General Laws of Texas, Title 28, Revised Civil Statutes of Texas, 1925, and declaring an emergency."

The Speaker laid the bill before the House with the Senate amendments.

On motion of Mr. Morse, the House concurred in the Senate amendments by the following vote:

## Yeas—123

Adkins	Hamilton
Alexander	Hankamer
Alsup	Harbin
Amos	Hardin
Baker	Harper
Bates	Harrell
Beckworth	Harris of Archer
Bell	Harris of Dallas
Blankenship	Hartzog
Boethel	Heflin
Bond	Holland
Boyer	Hoskins
Bradbury	Hull
Bradford	Hyder
Bridgers	Jackson
Burton	James
Cagle	Johnson of Ellis
Callan	Johnson
Carssow	of Tarrant
Cathey	Jones of Atascosa
Cauthorn	Jones of Falls
Celaya	Jones of Wise
Cleveland	Keefe
Colquitt	Keith
Davis of Haskell	Kern
Davis of Jasper	King
Davison of Fisher	Knetsch
Davisson	Langdon
of Eastland	Lankford
Dean	Lanning
Deglandon	Leath
Derden	Leyendecker
Dickison	Little
England	Loggins
Farmer	London
Felty	Lucas
Fielden	Mauritz
Fox	McConnell
Fuchs	McCracken
Gibson	McDonald

McKee	Settle
Metcalfe	Sewell
Moffett	Sharpe
Monkhouse	Shell
Morris	Simpson
Morse	Skaggs
Newton	Smith of Hopkins
Nicholson	Smith
Palmer	of Matagorda
Patterson	Smith of Tarrant
of Travis	Stinson
Petsch	Stocks
Pope	Talbert
Powell	Tarwater
Prescott	Tennant
Quinn	Tennyson
Ragsdale	Thornberry
Reed of Bowie	Thornton
Reed of Dallas	Vale
Rhodes	Waggoner
Riddle	Walker
Roark	Weldon
Ross	Westbrook
Russell	Winfree
Rutta	Wood

## Absent

Broadfoot	Mann
Brown	Mays
Graves	McKinney
Harris of Dickens	Oliver
Herzik	Reader
Huddleston	Schuenemann
Kelt	Stevenson
Leonard	Worley

## Absent—Excused

Dollins	Kenyon
Hanna	McFarland
Howard	Patterson of Mills
Jones of Angelina	

## BILLS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills:

H. B. No. 1071, "An Act to be designated as Article 2350m providing for traveling expenses for members of the Commissioners' Court in certain counties in this State, and declaring an emergency."

H. B. No. 726, "An Act (1 and 2) to create and establish San Antonio River Canal and Conservancy District under authority of Section 59 of Article XVI of the Constitution of Texas, to be a Governmental Agency, a Body Politic, municipal and corporate; also stating the intent and defining certain words

and expressions as used in this Act; (3) designating the area to be embraced in the District and making provision for excluding lands from, or adding lands to, the area of the District and prescribing the manner for so doing; . . . etc., and providing a day upon which this Act is to be effective."

H. B. No. 275, "An Act to provide for the repurchase of land located in Dallam and Hartley Counties heretofore set apart to build the Capital of the State of Texas, that has been recovered by the State, and repurchased as provided by the laws of this State and forfeited or that is subject to being forfeited for nonpayment of interest or principal accrued prior to the date of the passage of this Act, and giving a preference right to the owners of such lands or part thereof at any time within ninety (90) days after the date of notice of revaluation of such land to repurchase the same upon the terms and conditions provided in Chapter 94, page 267, Acts of 1925, as amended by Acts of 1926, Thirty-ninth Legislature, First Called Session, page 43, Chapter 25; . . . etc., and declaring an emergency."

## SENATE BILLS ON FIRST READING

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate Bill No. 298, to the Committee on Military Affairs.

Senate Bill No. 469, to the Committee on Highways and Motor Traffic.

Senate Bill No. 179, to the Committee on Claims and Accounts.

Senate Bill No. 471, to the Committee on Highways and Motor Traffic.

Senate Bill No. 489, to the Committee on Revenue and Taxation.

Senate Bill No. 492, to the Committee on State Affairs.

Senate Bill No. 497, to the Committee on Conservation and Reclamation.

Senate Bill No. 498, to the Committee on Counties.

Senate Bill No. 505, to the Committee on Education.

### ADDITIONAL SIGNER OF HOUSE BILL

By unanimous consent of the House, the following Member was authorized to sign bill, as co-author of same, as follows:

Mr. Blankenship, House Bill No. 398.

### RECESS

Mr. Wood moved that the House recess until 2:30 o'clock p. m., today.

Mr. Johnson of Ellis moved that the House recess until 2:00 o'clock p. m., today.

Question first recurring on the motion to recess until 2:00 o'clock p. m., today, it was lost.

Question next recurring on the motion by Mr. Wood to recess until 2:30 o'clock p. m., today, it prevailed, and the House, accordingly, at 12:25 o'clock p. m., took recess until 2:30 o'clock p. m., today.

### AFTERNOON SESSION

The House met at 2:30 o'clock p. m., and was called to order by the Speaker.

### LEAVES OF ABSENCE GRANTED

(By unanimous consent)

Mr. McKee was granted leave of absence for this afternoon, on account of important business, on motion of Mr. Hartzog.

Mr. Bridgers was granted leave of absence for this afternoon, on account of important business, on motion of Mr. McDonald.

Mr. Colquitt was granted leave of absence for this afternoon, on account of important business, on motion of Mr. Worley.

Mr. Vale and Mr. Dean were granted leaves of absence for this afternoon, on account of important business, on motion of Mr. Boethel.

### CONFERENCE COMMITTEE ON SENATE BILL NO. 472

The Speaker announced the appointment of the following Conference Committee, on the part of the House, to consider the differences between

the House and the Senate on Senate Bill No. 472:

Messrs. Keith, Stocks, Hamilton, Blankenship and Waggoner.

### TO PROVIDE FOR THE APPOINTMENT OF A COMMITTEE TO MAKE CERTAIN INVESTIGATION

The House resumed consideration of pending business, same being resolution offered by Mr. Sharpe to provide for the appointment of a committee to make certain investigation in regard to sale of cement.

The resolution having been read second time and printed in the Journal on yesterday, with amendment, by Mr. Harris of Dallas, pending.

Mr. Sharpe moved to table the amendment by Mr. Harris of Dallas.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

### Yeas—72

Adkins	Johnson of Ellis
Amos	Jones of Atascosa
Bell	Jones of Wise
Boethel	Keefe
Bond	Kelt
Bradbury	King
Broadfoot	Knetsch
Brown	Langdon
Burton	Lankford
Cauthorn	Lanning
Davis of Haskell	Leonard
Davis of Jasper	London
Davison of Fisher	Lucas
Davisson	McConnell
of Eastland	McDonald
Deglandon	Monkhouse
Derden	Oliver
Farmer	Palmer
Fox	Patterson
Fuchs	of Travis
Gibson	Powell
Graves	Prescott
Hamilton	Ragsdale
Hanna	Rhodes
Harbin	Roark
Hardin	Ross
Harrell	Russell
Harris of Archer	Rutta
Harris of Dickens	Settle
Herzik	Sewell
Holland	Sharpe
Huddleston	Simpson



Skaggs	Tennant	Yeas—62	
Smith of Hopkins	Tennyson	Adkins	Lucas
Stevenson	Thornberry	Alsup	Mauritz
Stocks	Weldon	Amos	McConnell
Talbert	Westbrook	Beckworth	Moffett
Nays—39		Bell	Morris
Alexander	Jones of Falls	Boethel	Oliver
Bates	Keith	Bond	Patterson
Blankenship	Leyendecker	Bradbury	of Travis
Boyer	Little	Broadfoot	Petsch
Bradford	Loggins	Brown	Powell
Cagle	Mays	Burton	Prescott
Callan	Moffett	Cauthorn	Quinn
Carssow	Morris	Davis of Haskell	Ragsdale
Cleveland	Morse	Davison of Fisher	Rhodes
Colquitt	Newton	Deglandon	Ross
Dickison	Reed of Bowie	Farmer	Russell
England	Reed of Dallas	Fox	Rutta
Hankamer	Smith	Graves	Sharpe
Harper	of Matagorda	Harper	Simpson
Harris of Dallas	Tarwater	Harrell	Skaggs
Hartzog	Thornton	Harris of Archer	Smith of Hopkins
Heflin	Waggoner	Harris of Dickens	Stevenson
Hyder	Walker	Holland	Stocks
Jackson	Winfree	Hyder	Talbert
James	Wood	Jones of Atascosa	Tennant
Absent		Jones of Wise	Tennyson
Alsup	McCracken	Keefe	Thornberry
Baker	McKinney	Kelt	Walker
Beckworth	Metcalfe	King	Weldon
Cathey	Nicholson	Langdon	Winfree
Celaya	Petsch	Lankford	Worley
Felty	Pope	London	
Fielden	Quinn	Nays—57	
Hoskins	Reader	Alexander	Jackson
Hull	Riddle	Bates	James
Johnson	Schuenemann	Blankenship	Johnson of Ellis
of Tarrant	Shell	Boyer	Jones of Falls
Leath	Smith of Tarrant	Bradford	Keith
Mann	Stinson	Cagle	Knetsch
Mauritz	Worley	Callan	Lanning
Absent—Excused		Carssow	Leonard
Bridgers	Kern	Celaya	Leyendecker
Dean	McKee	Cleveland	Little
Dollins	McFarland	Colquitt	Loggins
Howard	Patterson of Mills	Davis of Jasper	Mays
Jones of Angelina	Vale	Davison	Monkhouse
Kenyon		of Eastland	Morse
Mr. Felty moved to refer the resolution to the Committee on Commerce and Manufactures.		Derden	Newton
Mr. Farmer moved to table the motion by Mr. Felty.		Dickison	Nicholson
Question recurring on the motion to table, yeas and nays were demanded.		England	Palmer
The motion to table prevailed by the following vote:		Felty	Reed of Bowie
		Fuchs	Reed of Dallas
		Gibson	Roark
		Hamilton	Settle
		Hankamer	Sewell
		Hanna	Shell
		Hardin	Smith
		Harris of Dallas	of Matagorda
		Hartzog	Thornton
		Heflin	Waggoner
		Herzik	Westbrook
		Hoskins	Wood
		Huddleston	

## Absent

Baker	McDonald
Cathey	McKinney
Fielden	Metcalf
Harbin	Pope
Hull	Reader
Johnson	Riddle
of Tarrant	Schuenemann
Leath	Smith of Tarrant
Mann	Stinson
McCracken	Tarwater

## Absent—Excused

Bridgers	Kern
Dean	McFarland
Dollins	McKee
Howard	Patterson of Mills
Jones of Angelina	Vale
Kenyon	

Mr. Alexander moved to refer the resolution to the Committee on Highways and Motor Traffic.

Mr. Keefe moved the previous question on the pending motion, and the resolution, and the main question was ordered.

Question first recurring on the motion to refer the resolution to the Committee on Highways and Motor Traffic, it was lost.

Question then recurring on the resolution by Mr. Sharpe, yeas and nays were demanded.

The resolution was adopted by the following vote:

## Yeas—81

Adkins	Hamilton
Alsup	Hardin
Amos	Harper
Bates	Harrell
Beckworth	Harris of Archer
Bell	Harris of Dickens
Boethel	Holland
Bond	Hull
Boyer	Hyder
Bradbury	Johnson of Ellis
Brown	Johnson
Burton	of Tarrant
Cauthorn	Jones of Atascosa
Davis of Haskell	Jones of Wise
Davis of Jasper	Keefe
Davison of Fisher	Kelt
Deglandon	Knetsch
Davisson	Langdon
of Eastland	Lankford
Derden	Lanning
England	Little
Farmer	London
Fox	Lucas
Gibson	Mauritz
Graves	McConnell

McDonald  
Moffett  
Monkhouse  
Newton  
Nicholson  
Oliver  
Palmer  
Patterson  
of Travis  
Petsch  
Pope  
Powell  
Prescott  
Quinn  
Ragsdale  
Rhodes  
Ross  
Russell

Settle  
Sharpe  
Simpson  
Skaggs  
Smith  
of Matagorda  
Stevenson  
Stocks  
Talbert  
Tennant  
Tennyson  
Thornberry  
Vale  
Weldon  
Westbrook  
Winfree  
Worley

## Nays—42

Baker	Jackson
Blankenship	James
Bradford	Keith
Broadfoot	King
Cagle	Leonard
Callan	Leyendecker
Carssow	Loggins
Cleveland	Mays
Colquitt	Morse
Dickison	Reed of Bowie
Felty	Reed of Dallas
Fuchs	Roark
Hankamer	Rutta
Hanna	Sewell
Harbin	Smith of Hopkins
Harris of Dallas	Stinson
Hartzog	Tarwater
Heflin	Thornton
Herzik	Waggoner
Hoskins	Walker
Huddleston	Wood

## Absent

Alexander	McKinney
Cathey	Metcalf
Celaya	Morris
Dean	Reader
Fielden	Riddle
Jones of Falls	Schuenemann
Leath	Shell
Mann	Smith of Tarrant
McCracken	

## Absent—Excused

Bridgers	Kern
Dollins	McFarland
Howard	McKee
Jones of Angelina	Patterson of Mills
Kenyon	

Mr. Bradbury moved to reconsider the vote by which the resolution was adopted, and to table the motion to reconsider.

The motion to table prevailed.

GRANTING PERMISSION TO SUE  
THE STATE

The Speaker laid before the House, for consideration at this time, House Concurrent Resolution No. 65, Granting John Haney, and others, permission to sue the State.

The resolution having heretofore been read second time and referred to the Committee on State Affairs.

The Committee on State Affairs having recommended the adoption of the resolution, with the following committee amendment by Mr. Jones of Wise:

Amend House Concurrent Resolution No. 65, by inserting in the first resolving clause in line five thereof between the word "in" and the word "Texas" the following:

"Travis County."

The committee amendment was adopted.

Question recurring on the resolution, it was adopted by the following vote:

Yeas—115

Adkins	Hanna
Alexander	Harbin
Alsup	Hardin
Amos	Harper
Baker	Harris of Archer
Bates	Harris of Dallas
Beckworth	Harris of Dickens
Bell	Hartzog
Blankenship	Heflin
Boethel	Herzik
Bond	Holland
Boyer	Hoskins
Bradbury	Huddleston
Broadfoot	Hull
Burton	Hyder
Callan	Jackson
Carssow	James
Cauthorn	Johnson of Ellis
Cleveland	Johnson
Colquitt	of Tarrant
Davis of Haskell	Jones of Atascosa
Davis of Jasper	Jones of Falls
Davison of Fisher	Jones of Wise
Davisson	Keefe
of Eastland	Keith
Deglandon	Kelt
Derden	King
Dickison	Knetsch
England	Lankford
Farmer	Lanning
Felty	Leonard
Fuchs	Leyendecker
Gibson	Little
Hamilton	Loggins

London	Rutta
Lucas	Settle
Mauritz	Sewell
Mays	Sharpe
McConnell	Shell
McDonald	Simpson
Moffett	Skaggs
Monkhouse	Smith of Hopkins
Morris	Smith
Morse	of Matagorda
Newton	Stevenson
Nicholson	Stinson
Oliver	Stocks
Palmer	Talbert
Patterson	Tarwater
of Travis	Tennant
Powell	Thornberry
Prescott	Thornton
Quinn	Waggoner
Ragsdale	Walker
Reed of Bowie	Weldon
Reed of Dallas	Westbrook
Rhodes	Winfree
Roark	Wood
Ross	Worley
Russell	

Present—Not Voting

Cagle

Absent

Bradford	Mann
Brown	McKinney
Cathay	Metcalfe
Celaya	Petsch
Dean	Pope
Fielden	Reader
Fox	Riddle
Graves	Schuenemann
Hankamer	Smith of Tarrant
Harrell	Tennyson
Langdon	Vale
Leath	

Absent—Excused

Bridgers	Kern
Dollins	McCracken
Howard	McFarland
Jones of Angelina	McKee
Kenyon	Patterson of Mills

Mr. Harris of Dallas moved to reconsider the vote by which the resolution was adopted, and to table the motion to reconsider.

The motion to table prevailed.

RELATIVE TO HOUSE JOINT  
RESOLUTION NO. 2

Mr. Worley moved to suspend the Rule, relative to the making of motions to reconsider, for the purpose of making a motion to reconsider the vote by which the House, on yes-

terday, refused to adopt the Conference Committee Report on House Joint Resolution No. 2, and requested the appointment of a new conference committee.

Question recurring on the motion by Mr. Worley, yeas and nays were demanded.

The roll of the House was called, and the vote announced as follows: Yeas, 81; nays, 42.

Mr. Worley requested a verification of the vote.

The roll of the "yeas" and "nays" was again called, and the verified vote resulted as follows:

## Yeas—81

Adkins	Keith
Alsup	Kelt
Amos	King
Baker	Langdon
Bates	Lankford
Beckworth	Lanning
Bell	Loggins
Boethel	London
Bond	Lucas
Bradbury	Mays
Brown	McConnell
Cagle	Metcalfe
Cauthorn	Monkhouse
Cleveland	Morris
Davis of Haskell	Oliver
Davis of Jasper	Palmer
Davison of Fisher	Patterson
Davisson	of Travis
of Eastland	Powell
Dean	Prescott
Deglandon	Quinn
Derden	Reader
England	Rhodes
Farmer	Roark
Fox	Ross
Fuchs	Russell
Hamilton	Rutta
Hanna	Sewell
Harbin	Sharpe
Harrell	Simpson
Harris of Archer	Skaggs
Harris of Dickens	Smith of Hopkins
Herzik	Smith
Holland	of Matagorda
Hoskins	Stocks
Huddleston	Talbert
Hull	Tennyson
Johnson of Ellis	Thornberry
Johnson	Waggoner
of Tarrant	Weldon
Jones of Falls	Westbrook
Jones of Wise	Worley
Keefe	

## Nays—44

Alexander	Leonard
Blankenship	Leyendecker
Boyer	Little
Bradford	McCracken
Broadfoot	McDonald
Burton	Moffett
Callan	Morse
Carssow	Newton
Colquitt	Nicholson
Dickison	Pope
Felty	Reed of Bowie
Gibson	Reed of Dallas
Hankamer	Schuenemann
Hardin	Settle
Harris of Dallas	Shell
Hartzog	Stevenson
Heflin	Stinson
Hyder	Tennant
Jackson	Thornton
James	Walker
Jones of Atascosa	Winfree
Knetsch	Wood

## Present—Not Voting

Harper

## Absent

Cathey	McKinney
Celaya	Petsch
Fielden	Ragsdale
Graves	Riddle
Leath	Smith of Tarrant
Mann	Tarwater
Mauritz	Vale
McFarland	

## Absent—Excused

Bridgers	Kenyon
Dollins	Kern
Howard	McKee
Jones of Angelina	Patterson of Mills

The Speaker announced that the motion to suspend the Rule was lost (not receiving the necessary two-thirds vote.)

## HOUSE BILL NO. 260 WITH SENATE AMENDMENTS

Mr. Cagle called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 260, A bill to be entitled "An Act amending Article 5142A of the Revised Civil Statutes of Texas as adopted by the Forty-second Legislature, Acts, 1931, page 759, Chapter 302, paragraph 1, concerning the qualifications, duties, appointments, salaries, and removal of Probation

Officers, and declaring an emergency."

The Speaker laid the bill before the House with the Senate amendments.

Mr. Cagle moved that the House do not concur in the Senate amendments, and that a Conference Committee be requested to adjust the differences between the two Houses on the bill.

The motion prevailed.

#### HOUSE BILL NO. 1160 ON SECOND READING

Mr. Hull moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 1160 be placed on its second reading and passage to engrossment, and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—114

Adkins	Harris of Archer
Alexander	Harris of Dickens
Alsup	Hartzog
Amos	Heflin
Bates	Herzik
Beckworth	Holland
Blankenship	Hoskins
Boethel	Huddleston
Bond	Hull
Boyer	Hyder
Bradbury	Jackson
Bradford	James
Broadfoot	Johnson of Ellis
Brown	Johnson
Burton	of Tarrant
Callan	Jones of Falls
Cathey	Jones of Wise
Cauthorn	Keith
Cleveland	Kelt
Davis of Haskell	Kern
Davis of Jasper	King
Davison of Fisher	Knetsch
Davison	Langdon
of Eastland	Lankford
Deglandon	Lanning
Derden	Leyendecker
Dickison	Little
England	London
Farmer	Lucas
Felty	Mauritz
Fox	Mays
Fuchs	McConnell
Gibson	McCracken
Hamilton	McDonald
Hankamer	Metcalfe
Hanna	Moffett
Harper	Monkhouse
Harrell	Morse

Newton	Sewell
Nicholson	Sharpe
Oliver	Shell
Patterson	Simpson
of Travis	Skaggs
Pope	Smith of Hopkins
Powell	Smith
Prescott	of Matagorda
Quinn	Smith of Tarrant
Ragsdale	Stocks
Reader	Talbert
Reed of Bowie	Tarwater
Reed of Dallas	Tennant
Rhodes	Thornberry
Riddle	Thornton
Roark	Waggoner
Ross	Walker
Russell	Weldon
Rutta	Westbrook
Schuenemann	Winfree
Settle	Wood

#### Absent

Baker	Leath
Bell	Leonard
Cagle	Loggins
Carssow	Mann
Celaya	McKinney
Fielden	Morris
Graves	Palmer
Harbin	Petsch
Hardin	Stevenson
Harris of Dallas	Stinson
Jones of Atascosa	Tennyson
Keefe	Worley

#### Absent—Excused

Bridgers	Kenyon
Colquitt	McFarland
Dean	McKee
Dollins	Patterson of Mills
Howard	Vale
Jones of Angelina	

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 1160, A bill to be entitled "An Act amending Title 28, Chapter 30, Revised Civil Statutes of 1925, by adding a new article thereto to be known as Article 125a; providing that any city having a population of more than 150,000 and less than 200,000, as shown by the preceding Federal Census, shall have power and authority to amend its charter so as to extend its boundary limits, where the territory so annexed does not include any incorporated city, town or village having more than 5,000 inhabitants according to the preceding Federal Census; providing the manner such extension shall be effected; pro-

viding this Act shall be cumulative of charter provisions, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

#### HOUSE BILL NO. 1160 ON THIRD READING

The Speaker then laid House Bill No. 1160 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—127

Adkins	Holland
Alexander	Hoskins
Alsup	Huddleston
Amos	Hull
Baker	Hyder
Bates	Jackson
Bell	James
Blankenship	Johnson of Ellis
Boethel	Johnson
Bond	of Tarrant
Boyer	Jones of Atascosa
Bradbury	Jones of Falls
Bradford	Jones of Wise
Broadfoot	Keith
Brown	Kelt
Burton	Kern
Cagle	King
Callan	Knetsch
Carssow	Langdon
Cathey	Lankford
Cauthorn	Lanning
Cleveland	Leonard
Davis of Haskell	Leyendecker
Davis of Jasper	Little
Davison of Fisher	Loggins
Davisson	Lucas
of Eastland	Mauritz
Deglandon	Mays
Derden	McConnell
Dickison	McCracken
England	McDonald
Farmer	McKinney
Felty	Moffett
Fox	Monkhouse
Fuchs	Morris
Gibson	Morse
Hamilton	Newton
Hankamer	Nicholson
Hanna	Oliver
Harbin	Palmer
Hardin	Patterson
Harper	of Travis
Harrell	Pope
Harris of Archer	Powell
Harris of Dickens	Prescott
Hartzog	Quinn
Heflin	Ragsdale
Herzik	Reader

Reed of Bowie	Smith of Tarrant
Reed of Dallas	Stevenson
Rhodes	Stinson
Riddle	Stocks
Roark	Talbert
Ross	Tarwater
Russell	Tennant
Rutta	Tennyson
Schuenemann	Thornberry
Settle	Thornton
Sewell	Waggoner
Sharpe	Walker
Shell	Weldon
Simpson	Westbrook
Skaggs	Winfree
Smith of Hopkins	Wood
Smith	Worley
of Matagorda	

#### Absent

Beckworth	Leath
Celaya	London
Fielden	Mann
Graves	Metcalfe
Harris of Dallas	Petsch
Keefe	

#### Absent—Excused

Bridgers	Kenyon
Colquitt	McFarland
Dean	McKee
Dollins	Patterson of Mills
Howard	Vale
Jones of Angelina	

#### MESSAGE FROM THE SENATE

Austin, Texas, May 4, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has granted the request of the House for a conference committee to adjust the differences between the two Houses on House Bill No. 774.

The following have been appointed on the part of the Senate:

Senators Burns, Holbrook, Westerfeld, Lemens and Oneal.

Passed

H. B. No. 982, A bill to be entitled "An Act amending Section 1 of Chapter 129, page 356, Acts of the Regular Session of the Forty-fourth Legislature; repealing all laws, or parts of laws, in conflict herewith, and declaring an emergency." (With amendments.)

Respectfully,

BOB BARKER,  
Secretary of the Senate.

CONSIDERATION OF HOUSE  
JOINT RESOLUTION  
NO. 18

The Speaker laid before the House, as unfinished business,

H. J. R. No. 18, Amending Section 51b, of Article III, of the Constitution of Texas, providing for old-age assistance to certain citizens over sixty-five years of age, not exceeding Fifteen (\$15.00) Dollars per month. Providing for the length of time of actual residence in Texas, and further providing for the acceptance of funds for such purpose from the Federal Government; providing for the form of ballot and the time of holding the election. Directing the Governor to make proclamation of the election and for the advertising of same according to law, and making an appropriation to pay the expenses of holding such an election.

The resolution having heretofore been read second time, with amendment by Mr. Hull, and amendment to the amendment by Mr. Bond, and a point of order, by Mr. Johnson of Ellis, that the amendment by Mr. Bond is not germane, pending.

Mr. Bond withdrew the pending amendment.

Mr. Petsch and others offered the following amendment to the amendment by Mr. Hull:

Amend the amendment to House Joint Resolution No. 18, by striking out Section 1 of the substitute and inserting the following in lieu, to-wit:

Section 1. That Section 51b of Article III of the Constitution of the State of Texas be so amended as to hereafter read as follows:

"Section 51b. The Legislature shall provide for Old Age Insurance and for the equal payment of same not to exceed Fifteen (\$15.00) Dollars per month each to actual bona fide residents of the State of Texas who are over the age of sixty-five (65) years; provided that no habitual criminal, nor no habitual drunkard while such habitual drunkard, nor no inmate of any State supported institution, while such inmate, shall be eligible for such Old Age Insurance; provided further that the requirements for length of time of actual residence in Texas shall never be less than five (5) years during the nine years immediately preceding the application for Old Age Insurance

and continuously for one year immediately preceding such application.

The Legislature shall have the authority to accept from the Government of the United States such financial aid for Old Age Assistance as that Government may offer not inconsistent with the restrictions hereinbefore provided."

The Legislature is directed to levy a retail sales tax of not exceeding two (2%) per cent in order to finance the payment of the Insurance provided herein.

The term "retail sale" shall mean the sale or transfer of any goods, wares, merchandise, or tangible personal property for a valuable consideration within this State when such transfer is made by one in the ordinary course of his business and the sale is made for consumption or use, or for any purpose other than for resale, or for use in processing, manufacturing or industrial enterprises. The term "retail sale" shall not include the isolated or occasional sale of tangible personal property by a person not engaging in the retail business, nor goods or products sold by the actual producer, nor if the thing sold is purchased for resale by the buyer in the ordinary course of his business, nor if it is to be used or consumed by a manufacturing, industrial or processing business in creating other goods, wares, merchandise or services for sale to the public. Conditional Sales are included within this definition when in other respects such sales meet the test of a retail sale.

Taxes on the retail sales of cigarettes, gasoline and alcoholic liquors are excluded from the terms of this amendment and all taxes heretofore levied or which may hereafter be levied upon such articles, shall be and remain lawful and separate from those provided herein.

The Legislature shall not hereafter have the authority to make any appropriation out of any other tax funds for the support or maintenance of Old Age Insurance or Old Age Assistance, and the tax levied under the provisions hereof shall be used for no other purpose. No political subdivision of this State shall have authority to levy any occupation tax by virtue of this amendment.

Sec. 2. The foregoing Constitutional Amendment shall be submitted to the qualified electors of the State

of Texas on the fourth Saturday in August, 1937, at which election there shall be printed on such ballot the following words:

"For the amendment giving Legislature the power to provide for the payment of old age insurance not to exceed Fifteen (\$15.00) Dollars per month per person and to accept financial aid from the government of the United States, and provide a sales tax not exceeding two (2%) per cent in order to create a fund from which to pay such insurance."

"Against the amendment giving Legislature the power to provide for the payment of old age insurance not to exceed Fifteen (\$15.00) Dollars per month per person and to accept financial aid from the Government of the United States, and provide a two (2%) per cent sales tax in order to create a fund from which to pay such insurance."

If it appears from the returns of said election that a majority of the votes cast are in favor of said amendment the same shall become a part of the State Constitution.

Sec. 3. The Governor shall issue the necessary proclamation for such election and shall have the same published and such election held as provided by the Constitution and the laws of this State.

Sec. 4. The sum of Five Thousand (\$5,000.00) Dollars or so much thereof as may be necessary, is hereby appropriated out of the funds in the Treasury of the State, not otherwise appropriated, to pay the expenses of such publication and election.

PETSCH,  
KNETSCH,  
MAYS,  
DEAN,  
STEVENSON,  
BOND,  
HARDIN.

Mr. Bradbury offered the following substitute for amendment to the the amendment:

Amend the Hull amendment to House Joint Resolution No. 18, by striking out Section 1 and inserting in lieu thereof the following:

Section 1. That Section 51b of Article III of the Constitution of Texas shall be so amended as to hereafter read as follows:

Section 51b. The Legislature shall have the power, by General Laws, to

provide for old age assistance and shall make equal payment of same in the sum of Fifteen (\$15.00) Dollars per month each to actual bona fide citizens of Texas, who are over the age of sixty-five (65) years; and the Legislature shall have the power to provide for assistance to needy individuals who are blind, over twenty-one (21) years of age, to needy individuals who are unfit for employment, due to disease, and to needy, dependent children, and to provide reasonable facilities for promoting and protecting the health of needy mothers and children, including adequate medical, surgical and corrective service and care for crippled children; provided that no habitual criminal and no habitual drunkard, while such habitual drunkard, and no inmate of any State supported institution, while such inmate, shall be eligible for such old age pensions and/or assistance; provided further that the requirements for length of time of actual residence in Texas shall never be less than five (5) years during the nine (9) years immediately preceding the application for old age pension and/or assistance, and continuously for one (1) year immediately preceding such application; provided that no pension and/or assistance shall ever be paid to any person not a citizen of the United States, who has entered this country after the adoption of this amendment, provided that no person shall be eligible to receive a pension and/or assistance, under the provisions of this Act, who has a net income of Three Hundred Sixty (\$360.00) Dollars per year, if single, or Seven Hundred Twenty (\$720.00) Dollars a year, if married.

The Legislature shall have the authority to accept from the Government of the United States such financial aid for old age pension and/or assistance as that government may offer not inconsistent with restrictions hereinbefore provided.

To provide revenue with which to discharge the functions authorized herein, the Legislature shall have the authority and the power to levy a gross production tax or severance tax on the natural resources of this State. It is specifically understood that the power and authority herein granted is in addition to any and all authority already granted by the Constitution and the tax hereby authorized shall be specifically used for carrying out the functions of this Act and shall



not prevent or prohibit the levying of tax on natural resources for other purposes that have already been levied or may hereafter be levied.

1. On crude oil not less than two percent (2%) of the market value thereof when the price of crude oil is more than One (\$1.00) Dollar per barrel and when the price of crude oil is less than One (\$1.00) Dollar not less than two cents (2c) per barrel based on 42 standard gallons to the barrel; provided, that those wells producing 15 barrels of 42 standard gallons per day or less shall not be required to pay any tax under this section.

2. On sulphur and/or brimstone, not less than two per cent (2%) of the value of the same at the mine provided such tax shall not at any time be less than 25 cents per long ton.

3. On natural gas, not less than two percent (2%) of the value thereof; provided, said tax shall not be less than  $\frac{1}{4}$ c per thousand feet at the well.

4. On carbon black, 2% of the cash market value thereof; provided, that said tax shall not at any time be less than one-fourths cent ( $\frac{1}{4}$ c) per pound.

BRADBURY,  
REED of Bowie,  
JONES of Wise.

Mr. Skaggs raised a point of order, on consideration of the amendment, on the ground that the amendment by Mr. Petsch is not germane to the resolution.

The Speaker overruled the point of order.

Mr. Hardin moved the previous question on the pending amendments and passage of House Joint Resolution No. 18 to engrossment, and the motion was not seconded.

Question—Shall the amendment by Mr. Bradbury be adopted?

#### ADDITIONAL SIGNERS OF HOUSE BILL NO. 1151

By unanimous consent of the House, the following Members were authorized to sign bill, as co-authors of same, as follows:

Mr. Harrell and Mr. Harris of Dickens, House Bill No. 1151.

#### HOUSE BILL NO. 1076 WITH SENATE AMENDMENTS

Mr. Harrell called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 1076, A bill to be entitled "An Act making certain emergency appropriations out of the General Fund of the State of Texas for the support and maintenance of the Board of Pardons and Paroles of Texas, created by an amendment to the Constitution of the State of Texas adopted at the November General election, 1936, and which became effective February 1st, 1937, for the balance of the fiscal year, beginning February 1st, 1937, and ending August 31st, 1937, and declaring an emergency."

The Speaker laid the bill before the House with the Senate amendments.

On motion of Mr. Harrell, the House concurred in the Senate amendments by the following vote:

Yeas—121

Adkins	Gibson
Alexander	Hamilton
Alsup	Hankamer
Amos	Hanna
Baker	Harbin
Bates	Hardin
Beckworth	Harper
Bell	Harrell
Blankenship	Harris of Archer
Boethel	Harris of Dallas
Bond	Harris of Dickens
Boyer	Hartzog
Bradbury	Heflin
Brown	Herzik
Burton	Holland
Cagle	Hoskins
Callan	Huddleston
Carssow	Hull
Cathey	Hyder
Cauthorn	Jackson
Cleveland	James
Davis of Haskell	Johnson of Ellis
Davis of Jasper	Johnson
Davison of Fisher	of Tarrant
Davisson	Jones of Falls
of Eastland	Jones of Wise
Deglandon	Keefe
Derden	Kelt
Dickison	Kern
England	King
Farmer	Knetsch
Felty	Langdon
Fuchs	Lankford

Lanning	Rhodes
Leyendecker	Riddle
Little	Roark
Loggins	Ross
London	Russell
Lucas	Rutta
Mauritz	Schuenemann
Mays	Settle
McConnell	Sewell
McCracken	Sharpe
McDonald	Simpson
McKinney	Skaggs
Metcalfe	Smith of Hopkins
Monkhouse	Smith
Moffett	of Matagorda
Morris	Smith of Tarrant
Morse	Stinson
Newton	Stocks
Nicholson	Talbert
Palmer	Tarwater
Patterson	Tennant
of Travis	Tennyson
Petsch	Thornton
Powell	Waggoner
Prescott	Walker
Quinn	Weldon
Ragsdale	Westbrook
Reader	Winfree
Reed of Bowie	Wood
Reed of Dallas	

## Nays—1

Thornberry

## Absent

Bradford	Leath
Broadfoot	Leonard
Celaya	Mann
Fielden	Oliver
Fox	Pope
Graves	Shell
Jones of Atascosa	Stevenson
Keith	Worley

## Absent—Excused

Bridgers	Kenyon
Colquitt	McFarland
Dean	McKee
Dollins	Patterson of Mills
Howard	Vale
Jones of Angelina	

**CONFERENCE COMMITTEE ON  
HOUSE BILL NO. 260  
APPOINTED**

The Speaker announced the appointment of the following Conference Committee, on the part of the House, on House Bill No. 260:

Messrs. Cagle, Tennant, Hankamer, Tennyson and Stinson.

**EXPRESSING FELICITATIONS OF  
THE HOUSE**

Mr. Davis of Haskell offered the following resolution:

Whereas, The wife of our fellow Member, Dr. C. L. Stocks, has been seriously ill since the Legislature has been in session, and has been unable to visit the Legislature and take part in the various activities that are accorded the Members and their families; and

Whereas, Her condition is more favorable and she is recovering from her illness; now, therefore, be it

Resolved, That we, the Members of the House of Representatives, hereby express our sincere desire for the complete recovery of Mrs. Stocks at an early date, and that she may be able to visit us before the adjournment of this Legislature.

DAVIS of Haskell,  
BRADBURY,  
BLANKENSHIP.

The resolution was read second time, and was unanimously adopted.

**MESSAGE FROM THE SENATE**

Austin, Texas, May 4, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has granted the request of the House for a conference committee to adjust the differences between the two Houses on House Bill No. 132.

The following have been appointed on the part of the Senate:

Senators Oneal, Aikin, Davis, Stone and Roberts.

Granted request of the House for a conference committee to adjust the differences between the two Houses on House Bill No. 352.

The following have been appointed on the part of the Senate:

Senators Hill, Shivers, Sulak, Beck and Weinert.

Respectfully,  
BOB BARKER,  
Secretary of the Senate.

**MESSAGE FROM THE SENATE**

Austin, Texas, May 4, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to

inform the House that the Senate has passed the following:

S. B. No. 139, A bill to be entitled "An Act making appropriations for the support, maintenance, operation, and improvement of the State institutions of higher learning for the two (2) fiscal years beginning September 1, 1937, and ending August 31, 1939, and for certain other educational agencies of the State, prescribing certain restrictions concerning the expenditures of said appropriations, and declaring an emergency."

Respectfully,

BOB BARKER,  
Secretary of the Senate.

INVITATION TO MRS. LESTER  
C. BOONE TO ADDRESS  
THE HOUSE

Mr. Huddleston offered the following resolution:

Whereas, We have in the city of Austin today Mrs. Lester C. Boone, who is a citizen of Fort Worth, and recognized as an outstanding radio entertainer; and

Whereas, It is the opinion of the above Members that the membership of the House will enjoy a brief reading from her; therefore, be it

Resolved, That the House of Representatives invite her to address the House for three minutes.

HUDDLESTON,  
SMITH of Tarrant,  
HULL,  
JOHNSON of Tarrant,  
AMOS,  
JAMES,  
BELL.

The resolution was read second time, and was adopted.

In accordance with the above action, Speaker Calvert presented Mr. Huddleston who in turn introduced Mrs. Boone. Mrs. Boone then addressed the House.

BILLS ORDERED NOT PRINTED

On motion of Mr. Thornberry, Senate Bill No. 497 was ordered not printed.

On motion of Mr. Hull, Senate Bill No. 270 was ordered not printed.

On motion of Mr. Harbin, Senate Bill No. 489 was ordered not printed.

On motion of Mr. Davison of Fisher, Senate Bill No. 305 was ordered not printed.

On motion of Mr. Davison of Fisher, Senate Bill No. 505 was ordered not printed.

SENATE BILL ON FIRST  
READING

The following Senate bill, received from the Senate today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

Senate Bill No. 139, to the Committee on Appropriations.

BILLS SIGNED BY THE  
SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills:

H. B. No. 1074, "An Act to change and prescribe the time for holding district court of the Ninth Judicial District of the State of Texas; and to conform all writs and processes of such court to such changes, and make all writs and processes issued or served before this Act takes effect, including recognizances and bonds, returnable to the terms of court in the several counties in said District, as herein fixed, and to validate the summoning of grand and petit jurors, and juries; and providing for the continuation of court in session in said District when this Act takes effect, to the end of its term; and repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

H. B. No. 669, "An Act repealing Article 726a, Chapter 3 of the Penal Code, being page 52, Chapter 29, of the General and Special Laws of the Forty-third Legislature, Third Called Session, and declaring an emergency."

H. B. No. 1122, "An Act amending Article 1645, Revised Civil Statutes of Texas, 1925, as amended by Chapter 35, Acts of the Fortieth Legislature, First Called Session as amended by Chapter 28, Acts of the Forty-first Legislature, First Called Session, as amended by Chapter 15, Acts of the Forty-second Legislature, Second Called Session by adding thereto a new section to be known as Article 1645a providing for county auditors in counties containing a population of not less than 19,150 nor more than

19,175 according to the last preceding Federal Census providing for their compensation and the fund from which it shall be paid, and declaring an emergency."

H. B. No. 1010, "An Act establishing a County Law Library in counties in this State having three or more District Courts sitting for all of its terms or some of its terms with both civil and criminal jurisdiction, none of which have more than four terms a year and one which sits and has jurisdiction in not less than two other counties; providing a fund to be administered by the Commissioners' Court to be raised by collecting \$1.00 as costs in each case filed in any of said Courts in said county except delinquent tax suits and including all Civil and Criminal County Courts or District Courts; providing, however, that the county shall in no event be liable for any cost in any civil or criminal case; providing for a custodian or librarian and his salary; providing for housing and management, and declaring an emergency."

H. B. No. 999, "An Act validating the incorporation of certain cities and towns of more than six hundred (600) and less than two thousand (2,000) inhabitants which have heretofore incorporated under the General Laws of Texas, Title 28, Revised Civil Statutes of Texas, 1925, and declaring an emergency."

H. B. No. 126, "An Act providing that county courts without the necessity of trial by jury may temporarily commit mentally-ill persons not charged with criminal offense to State mental hospitals, for not exceeding ninety days for observation and/or treatment; providing temporary commitment may also be made to United States Veterans Bureau and other United States Government operated hospitals in those cases where such agency of the United States will accept such mentally-ill persons, and declaring an emergency."

H. B. No. 410, "An Act providing that County Commissioners Courts of this State in conjunction with municipal governments of incorporated cities of population exceeding 15,000 at the last preceding Federal Census, where said cities are county seats of counties may appoint case-workers and investigators to make investigations of needy persons to whom may

be supplied necessities furnished by the Texas Relief Commission, any proper Federal agency, or by counties and cities or any one of said agencies, commission cities or counties; provided said counties and municipalities may pay not to exceed Twelve Hundred (\$1,200.00) Dollars per annum salary to such case-worker and investigator; providing the duties and qualifications of said case-workers and investigators, and declaring an emergency."

#### HOUSE BILLS ON FIRST READING

Mr. Powell moved to introduce, at this time, and have placed on first reading, House Bills Nos. 1161 and 1162.

The motion prevailed by the following vote:

Yeas—117

Adkins	Harris of Archer
Alsup	Harris of Dallas
Amos	Harris of Dickens
Baker	Hartzog
Bates	Heflin
Beckworth	Herzik
Bell	Huddleston
Blankenship	Hull
Boethel	Hyder
Bond	Jackson
Boyer	James
Bradbury	Johnson of Ellis
Bradford	Johnson
Broadfoot	of Tarrant
Brown	Jones of Atascosa
Burton	Jones of Falls
Cagle	Jones of Wise
Callan	Keefe
Carsow	Kelt
Cathey	Kern
Cauthorn	King
Celaya	Knetsch
Cleveland	Langdon
Davis of Haskell	Lankford
Davis of Jasper	Lanning
Davisson	Leath
of Eastland	Leonard
Deglandon	Little
Derden	London
Dickison	Lucas
England	Mauritz
Farmer	Mays
Felty	McConnell
Fuchs	McCracken
Gibson	McDonald
Hamilton	McKinney
Hankamer	Metcalfe
Hanna	Moffett
Harbin	Monkhouse
Harper	Morris
Harrell	Morse

Newton	Shell
Oliver	Simpson
Palmer	Skaggs
Patterson	Smith
of Travis	of Matagorda
Petsch	Stinson
Powell	Stocks
Prescott	Talbert
Ragsdale	Tarwater
Reed of Bowie	Tennant
Rhodes	Tennyson
Riddle	Thornberry
Roark	Thornton
Ross	Waggoner
Russell	Weldon
Rutta	Westbrook
Schuenemann	Winfree
Settle	Wood
Sewell	Worley
Sharpe	

## Absent

Alexander	Mann
Davison of Fisher	Nicholson
Fielden	Pope
Fox	Quinn
Graves	Reader
Hardin	Reed of Dallas
Holland	Smith of Hopkins
Hoskins	Smith of Tarrant
Keith	Stevenson
Leyendecker	Walker
Loggins	

## Absent—Excused

Bridgers	Kenyon
Colquitt	McFarland
Dean	McKee
Dollins	Patterson of Mills
Howard	Vale
Jones of Angelina	

The Speaker then laid the bills before the House, they were read severally first time, and referred to the appropriate committees, as follows:

By Mr. Powell:

H. B. No. 1161, A bill to be entitled "An Act making it lawful to hunt deer in Montgomery County, and providing that one dog may be used in hunting, killing, and taking deer in said County; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By Mr. Powell:

H. B. No. 1162, A bill to be entitled "An Act to authorize the Commissioner's Court of Montgomery County to pay bounties under certain conditions for the destruction of wolves,

coyotes, wildcats, and other predatory animals and fowls in said County; to make rules and regulations with respect thereto; regulating the issuance of warrants in payment thereof, and declaring an emergency."

Referred to the Committee on Game and Fisheries.

## RECESS

On motion of Mr. Jones of Wise, the House, at 5:30 o'clock p. m., took recess until 7:30 o'clock p. m., today.

## NIGHT SESSION

The House met at 7:30 o'clock p. m., and was called to order by the Speaker.

## LEAVE OF ABSENCE GRANTED

(By unanimous consent)

Mr. Fielden was granted leave of absence for this evening, on account of illness in his family, on motion of Mr. Bradbury.

## SENATE BILL NO. 150 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 150, A bill to be entitled "An Act making an appropriation to pay judgments of the district and county courts refunding to the heirs, devisees, legatees or legal representatives of deceased persons, whose estates have escheated to the State such sums of money belonging to such escheated estates as have been paid into the public treasury; authorizing the payment of such claims on the taking effect of this Act and the filing with the Comptroller of such a copy of the order of the court under seal of the court, and declaring an emergency."

The bill was read second time.

Mr. Stinson offered the following committee amendment to the bill:

Amend Senate Bill No. 150, by adding at the end of Section 2 thereof the following:

"Provided, further, that the Comptroller of Public Accounts shall ascertain before issuing said warrant that said funds were received by the State of Texas and deposited with the State

Treasurer in the General Revenue Fund."

The amendment was adopted.

Senate Bill No. 150 was then passed to third reading.

#### HOUSE BILL NO. 207 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 207, A bill to be entitled "An Act amending Section 6, Chapter 106, Acts of the Fortieth Legislature, First Called Session, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

#### HOUSE BILL NO. 249 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 249, A bill to be entitled "An Act amending Article 7272, Revised Civil Statutes of Texas, 1925, as amended by Chapter 141, Acts of the Forty-second Legislature, Regular Session, providing that all real and personal property held or owned by any person in this State shall be liable for all State, county and School District Taxes, and such taxes shall constitute a first lien on such property, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

#### SENATE BILL NO. 322 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 322, A bill to be entitled "An Act granting to Tom J. Taylor of Burnet County, Texas, the right or permission, to bring suit against the State of Texas and/or the State Highway Department, in any court of competent jurisdiction in Travis County, Texas, and declaring an emergency."

The bill was read second time, and was passed to third reading.

#### HOUSE BILL NO. 376 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 376, A bill to be entitled "An Act amending Rule 47a of Article 4477, of Title 71, of the Revised Civil Statutes of the State of Texas, 1925, by repealing sub-paragraph six and twenty-five thereof, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

#### SENATE BILL NO. 405 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 405, A bill to be entitled "An Act requiring dealers, peddlers and brokers handling or dealing in used oil, gas or pipe line equipment to obtain licenses from the Railroad Commission of the State of Texas; providing for applications, license fees and issuance of such licenses; requiring the keeping of records and filing copies with the sheriffs of the various counties; providing for the renewal of licenses; authorizing the Railroad Commission to refuse to issue and to cancel and forfeit licenses under certain conditions; providing funds collected shall be used to enforce this Act and any surplus transferred to the General Fund of the State; prohibiting the purchase or receiving of such articles from minors; authorizing the Railroad Commission to prescribe forms, adopt rules and regulations in pursuance of this Act; providing penalties, and declaring an emergency."

The bill was read second time.

Mr. Leath offered the following committee amendment to the bill:

Amend Senate Bill No. 405, by striking out all below the enacting clause and inserting in lieu thereof the following:

Section 1. (a) That "Pipe Line Equipment" is hereby defined to be all pipe, fittings, pumps, telephone and telegraph lines and all other material and equipment used as part of or incident to the construction, maintenance and operation of any pipe line for the transportation of oil, gas, water or other liquid or gaseous substance.

(b) "Oil and Gas Equipment" is hereby defined to be equipment and materials which are part of, or incident to, the development, maintenance and operation of oil and gas properties. Included in this definition is

equipment and materials which are part of, or incident to the construction, maintenance and operation of oil and gas wells, oil and gas leases, gasoline plants, and refineries.

(c) "Pipe Line Equipment, Oil and Gas Equipment" shall be classed as "used materials" after such equipment has once been placed into the use for which the same was first manufactured and intended.

The term "used materials" shall mean any used pipe line equipment, or oil and gas equipment as defined by this Act.

Section 2. (a) "Person" shall mean and include persons, firms, partnerships, companies, corporations, associations, common law trusts, statutory trusts and other concerns by whatever name known or howsoever organized, formed or created.

(b) "Dealer" shall mean and include every person engaged in buying, selling, or otherwise dealing in used materials and who has a fixed, designated place, or places of business, within the State.

(c) "Broker" shall mean and include every person engaged in buying, selling, or otherwise dealing in used materials, as agent for the seller of such used materials, or as agent for the buyer of such used materials, or as agent for both.

(d) "Peddler" shall mean and include every person who is not a dealer or broker, and who is engaged in the buying, selling or otherwise dealing in used materials.

(e) "Owner" shall mean and include every person who owns or acquires used materials and which is intended to be employed or is being employed in the business of such person as an incident thereto and is not owned or acquired for the purpose of resale.

(f) "Yard" shall mean the place where any dealer stores used materials, or keeps the same for the purpose of sale.

Section 3. Every dealer, broker or peddler as herein defined shall before purchasing any used materials at any time after the effective date of this Act, require a bill of sale for such used materials to be executed and acknowledged by the seller in the manner required by law for registration thereof containing the name and address of such dealer, broker or ped-

dlar, the serial number, if any, the kind, make, size, weight, length and quantity of the used materials so purchased, the date of the purchase, if different from the date of the bill of sale, the name and address of the seller, and the place or location of such property at the time purchased or acquired, and shall cause said bill of sale to be filed for record in the office of the County Clerk of the county in which the said dealer, broker or peddler resides within seven (7) days from the date of such purchase.

Section 4. Except in case of purchases or acquisitions from dealers, no disposition of any used material on which such bill of sale is required hereunder shall be made by any dealer, broker or peddler until the expiration of five (5) days following the filing of said bill of sale with the County Clerk as aforesaid. No part of said used material required hereby to be retained for said five-day period shall during such period be altered or changed in any manner from the original condition in which it was acquired or purchased.

Section 5. It shall hereafter be unlawful for any person to take, purchase or receive any such used material from any minor within this State.

Section 6. Every person, dealer, peddler or broker who violates any of the provisions of this Act shall be guilty of a felony and upon a conviction shall be subject to a fine of not less than Fifty (\$50.00) Dollars or more than Five Hundred (\$500.00) Dollars, or imprisonment for not more than one year in the county jail, or confinement in the penitentiary for not less than one or more than five years, or to both such fine and imprisonment. The Attorney General of this State or any District Attorney or County Attorney of this State shall be and is hereby authorized and empowered to enjoin in the name and behalf of the State of Texas any dealer, peddler or broker from continuing in said business in the State of Texas upon violation of any of the provisions of this Act.

Section 7. If any section, paragraph or clause of this Act shall be held unconstitutional or void for any reason, the same shall not affect any other provisions of this law, which same shall stand regardless of the unconstitutionality of a part of this Act.

Section 8. The fact that there is now no law in this State regulating dealers, peddlers or brokers in used materials and that certain abuses have grown up in this connection creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read three successive days in each House be suspended, and such Rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

The committee amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

Senate Bill No. 405 was then passed to third reading.

#### SENATE BILL NO. 465 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 465, A bill to be entitled "An Act amending Subdivision 3 of Article 199, Title 8, Revised Civil Statutes of Texas of 1925, as amended, Acts, 1929, Forty-first Legislature, First Called Session, and providing for changing and prescribing term and times of holding the Courts in the Third Judicial District of Texas; validating and continuing all processes and writs, bonds and recognizances, and making them returnable to the terms of Court in the several counties in said District as herein fixed; to validate the summoning of grand and petit jurors under the present law so as to render them available under the present Act; to repeal all laws and parts of laws in conflict herewith; providing for and declaring an emergency, and providing time for this Act to take effect."

The bill was read second time, and was passed to third reading.

#### SENATE BILL NO. 466 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 466, A bill to be entitled "An Act to authorize the exclusion of certain territory from any fresh water supply district before the issu-

ance of bonds and levy of taxes, and declaring an emergency."

The bill was read second time, and was passed to third reading.

#### SENATE BILL NO. 467 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 467, A bill to be entitled "An Act to amend Article 2792, Revised Civil Statutes of Texas, so as to provide that where the trustees of an independent school district have the county assessor and collector of taxes assess and collect the taxes for said district, the property of such district may be assessed at a greater value than the property is assessed for county and state purposes; provided, that such property may not be assessed at a greater valuation than its fair market value, or if it has no market value, than its intrinsic value, and declaring an emergency."

The bill was read second time, and was passed to third reading.

#### SENATE BILL NO. 480 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 480, A bill to be entitled "An Act to amend Article 7057b, Section 2, Revised Civil Statutes, H. B. No. 11, Act of the Regular Session, Forty-third Legislature, so as to clarify the kind of suits to be included in a class action as provided in Section 2 of said Article; to provide that suit may be filed in a court of competent jurisdiction in Travis County, Texas, when the total taxes accrued comes in the jurisdiction of said court; to provide that original petitions may be amended to include additional taxes paid under protest; providing that the provisions of this Act shall apply to taxes paid under protest and where suits are now pending testing the validity and correctness of such taxes, and declaring an emergency."

The bill was read second time, and was passed to third reading.

#### SENATE BILL NO. 483 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,



S. B. No. 483, A bill to be entitled "An Act amending subdivision 22 of Article 199, Title 8, Revised Civil Statutes of Texas, and providing for changing and prescribing terms and times of holding Court in the 22nd Judicial District of Texas, validating and continuing all process, and writs, bonds and recognizances and making them returnable to the terms of Court in the several counties in said district as herein fixed, to validate the summoning of grand and petit jurors under the present law so as to render them available under the present Act; enacting proper provisions relative to any term of court that may be in session when this Act takes effect, and declaring an emergency."

The bill was read second time, and was passed to third reading.

**SENATE BILL NO. 486 ON  
SECOND READING**

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 486, A bill to be entitled "An Act amending S. B. No. 527 passed at the Regular Session of the Forty-third Legislature, 1933; providing for changing and prescribing times of holding court in the 84th Judicial District of Texas; validating and continuing all processes and writs, bonds, and recognizances, and making them returnable to the terms of courts in the several counties in said district as herein fixed; validating the summoning of grand and petit jurors under the present law so as to render them available under the present Act; enacting proper provisions relative to any term of court that may be in session when this Act takes effect; repealing all laws in conflict herewith, and declaring an emergency"

The bill was read second time, and was passed to third reading.

**SENATE BILL NO. 494 ON  
SECOND READING**

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 494, A bill to be entitled "An Act providing that all bonds which have been heretofore issued and sold by all road districts in counties with a population of not less than twenty-five thousand three hundred

forty-four and not more than twenty-five thousand four hundred forty-four people, according to the last preceding Federal Census, where the proceeds of the sale of bonds has been expended, in whole or in part, upon a highway which has, since the issuance and sale of said bonds, been temporarily or permanently designated as a part of the State Highway System, shall be entitled to participate in the State Highway Fund, under the provisions and restrictions of Chapter 136, Acts of the Forty-third Legislature of Texas, 1933, and declaring an emergency."

The bill was read second time, and was passed to third reading.

**SENATE BILL NO. 496 ON  
SECOND READING**

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 496, A bill to be entitled "An Act relating to the time for holding court in the several counties constituting the 119th Judicial District of Texas, composed of the Counties of Coleman, Concho, Runnels and Tom Green, fixing the terms of holding court in each county, amending Chapter 367, Acts of the Regular Session of the Forty-second Legislature, 1931, as amended by Chapter 24, Acts of the First Called Session of the Forty-third Legislature, repealing all laws in conflict therewith, and declaring an emergency."

The bill was read second time, and was passed to third reading.

**HOUSE BILL NO. 514 ON SECOND  
READING**

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 514, A bill to be entitled "An Act providing for and regulating the manner that owners and/or operators of oil wells producing salt water or water containing minerals in an appreciable amount may return same to such salt water or mineral water horizon from which produced; providing for obtaining permits from the Railroad Commission, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 594 ON SECOND  
READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 594, A bill to be entitled "An Act amending Section 3 of Chapter 88, Acts of the Forty-first Legislature, Second Called Session, as amended by Section 1 of Chapter 3, Acts of the Forty-third Legislature, Second Called Session, as amended by Section 1 of Chapter 51, Acts of the Forty-fourth Legislature, Regular Session so as to provide that vehicles owned and operated by bona fide orphans homes, shall pay a registration fee of \$5.00 only; repealing all laws in conflict, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 639 ON SECOND  
READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 639, A bill to be entitled "An Act to amend Article 7258a of the Revised Statutes of Texas by extending the provisions of that Article to apply to every county in the State of Texas, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 63 ON THIRD  
READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 63, A bill to be entitled "An Act amending Section 6, Article III, House Bill No. 8, of the Third Called Session of the Forty-fourth Legislature; defining certain words, terms and phrases; imposing a tax on the amount paid for admission to any place with the exceptions and fixing the amount of the tax; providing that persons subject to said tax shall file reports with and remit the tax to the Comptroller and describing information to be contained in said reports; authorizing the Comptroller to collect tax from persons required to make daily reports at the time such admission fees are received by said persons; requiring every operator of a place of continuous performance to keep certain rec-

ords open to the inspection of the Comptroller and the Attorney General for a period of one (1) year; exempting certain institutions, societies and organizations from the tax levied herein; prescribing the manner of printing admission tickets; providing that the tax levied shall be a joint liability of the owner and operator of any place where an admission fee is charged and prescribing civil penalties for failure of such persons to pay said tax; etc., and declaring an emergency."

The bill was read third time.

Mr. England offered the following amendment to the bill:

Amend Section 1 of House Bill No. 63, by striking out Subsection (b) of Section 6 and inserting in lieu thereof the following:

"(b) The term 'admission' as used herein shall mean and include any charge made as an entrance fee to any place and shall include seats and tables, reserved or otherwise, and other similar accommodations, and the charges made therefor. Cover charges and all other service or accommodation charges shall be considered as admission fees."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 63 was then passed by the following vote:

Yeas—127

Adkins	Celaya
Alexander	Cleveland
Alsup	Colquitt
Amos	Davis of Haskell
Baker	Davis of Jasper
Bates	Davison of Fisher
Beckworth	Davisson
Bell	of Eastland
Blankenship	Deglandon
Boethel	Derden
Bond	Dickison
Boyer	England
Bradbury	Farmer
Bradford	Felty
Bridgers	Fox
Brown	Fuchs
Burton	Gibson
Cagle	Graves
Callan	Hamilton
Carssow	Hankamer
Cathey	Hanna
Cauthorn	Harbin

Hardin	Morris
Harper	Morse
Harrell	Newton
Harris of Archer	Nicholson
Harris of Dallas	Oliver
Harris of Dickens	Palmer
Hartzog	Patterson
Heflin	of Travis
Herzik	Petsch
Holland	Powell
Hoskins	Prescott
Hull	Quinn
Hyder	Ragsdale
Jackson	Reader
James	Reed of Bowie
Johnson of Ellis	Reed of Dallas
Johnson	Rhodes
of Tarrant	Roark
Jones of Falls	Ross
Jones of Wise	Russell
Keefe	Rutta
Keith	Settle
Kelt	Sewell
King	Sharpe
Knetsch	Simpson
Lankford	Skaggs
Lanning	Smith of Tarrant
Leonard	Stevenson
Leyendecker	Stinson
Little	Stocks
Loggins	Talbert
London	Tarwater
Lucas	Tennant
Mann	Tennyson
Mauritz	Thornberry
Mays	Thornton
McConnell	Waggoner
McCracken	Walker
McDonald	Weldon
McKinney	Westbrook
Metcalf	Winfree
Moffett	Wood
Monkhouse	Worley
Absent	
Broadfoot	Riddle
Huddleston	Schuenemann
Jones of Atascosa	Shell
Langdon	Smith of Hopkins
Leath	Smith
Pope	of Matagorda
Absent—Excused	
Dean	Kern
Dollins	McFarland
Fielden	McKee
Howard	Patterson of Mills
Jones of Angelina	Vale
Kenyon	

# HOUSE BILL NO. 228 ON THIRD READING

The Speaker laid before the House,  
on its third reading and final passage,

H. B. No. 228, A bill to be entitled  
"An Act authorizing a county local  
option election to decide whether or  
not such county shall have compul-  
sory vaccination of dogs against  
rabies; providing that if such county  
votes in favor of compulsory vac-  
cination that the owners of all dogs  
in such county shall have the same  
vaccinated by a licensed veterinarian  
who shall issue a tag which shall be  
worn on the collar about the neck of  
such animal; providing that under  
certain conditions all dogs not vac-  
cinated and running at large may be  
destroyed, and declaring an emer-  
gency."

The bill was read third time, and  
was passed by the following vote:

Yeas—123

Adkins	Harbin
Alexander	Hardin
Alsup	Harper
Amos	Harris of Dallas
Baker	Harris of Dickens
Bates	Hartzog
Beckworth	Heflin
Bell	Herzik
Blankenship	Holland
Boethel	Hoskins
Bond	Huddleston
Boyer	Hull
Bradbury	Hyder
Bradford	Jackson
Bridgers	James
Brown	Johnson of Ellis
Burton	Johnson
Cagle	of Tarrant
Callan	Jones of Falls
Carssow	Jones of Wise
Cathey	Keefe
Cauthorn	Keith
Celaya	Kelt
Cleveland	King
Colquitt	Knetsch
Davis of Haskell	Langdon
Davis of Jasper	Lankford
Davison of Fisher	Lanning
Davisson	Leonard
of Eastland	Leyendecker
Deglandon	Little
Derden	Loggins
Dickison	London
England	Lucas
Farmer	Mann
Felty	Mauritz
Fox	Mays
Fuchs	McConnell
Gibson	McDonald
Graves	Metcalf
Hamilton	Moffett
Hankamer	Monkhouse
Hanna	Morris

Morse	Sharpe
Newton	Simpson
Nicholson	Skaggs
Oliver	Smith of Tarrant
Patterson	Stevenson
of Travis	Stinson
Petsch	Stocks
Prescott	Talbert
Quinn	Tarwater
Ragsdale	Tennant
Reader	Tennyson
Reed of Bowie	Thornberry
Reed of Dallas	Thornton
Rhodes	Waggoner
Roark	Walker
Ross	Weldon
Russell	Westbrook
Rutta	Winfree
Settle	Wood
Sewell	Worley

Present—Not Voting

Powell

Absent

Broadfoot	Pope
Harrell	Riddle
Harris of Archer	Schuenemann
Jones of Atascosa	Shell
Leath	Smith of Hopkins
McCracken	Smith
McKinney	of Matagorda
Palmer	

Absent—Excused

Dean	Kern
Dollins	McFarland
Fielden	McKee
Howard	Patterson of Mills
Jones of Angelina	Vale
Kenyon	

## HOUSE BILL NO. 906 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 906, A bill to be entitled "An Act providing the method whereby any interested party affected by any rule or order made or promulgated by the Highway Commission or any contract made by the Commission, shall have the right to institute suit in Travis County, Texas, against the Commission and seek relief such as may be necessary, providing the procedure in respect thereto and granting of injunctions under certain conditions and providing for and prescribing the manner and method of executing injunction bonds and the procedure in reference thereto; providing for the conditions of such bond and the right of persons

to sue thereon, granting to either party the right of appeal from the judgment rendered therein, and providing for the advancement of said cause in the Appellate Courts, repealing all laws or parts of laws in conflict therewith, and declaring an emergency."

The bill was read third time, and was passed by the following vote:

Yeas—126

Adkins	Holland
Alexander	Huddleston
Alsup	Hull
Amos	Hyder
Baker	Jackson
Bates	James
Beckworth	Johnson of Ellis
Bell	Johnson
Blankenship	of Tarrant
Boethel	Jones of Falls
Bond	Jones of Wise
Boyer	Keefe
Bradbury	Keith
Bradford	Kelt
Bridgers	King
Brown	Knetsch
Burton	Langdon
Cagle	Lankford
Callan	Lanning
Carsow	Leath
Cathey	Leonard
Cauthorn	Leyendecker
Cleveland	Little
Colquitt	London
Davis of Haskell	Lucas
Davis of Jasper	Mann
Davison of Fisher	Mauritz
Davison	Mays
of Eastland	McConnell
Deglandon	McCracken
Derden	McDonald
Dickison	McKinney
England	Metcalfe
Farmer	Moffett
Felty	Monkhouse
Fox	Morris
Fuchs	Morse
Gibson	Newton
Graves	Nicholson
Hamilton	Oliver
Hankamer	Patterson
Hanna	of Travis
Harbin	Petsch
Hardin	Pope
Harper	Prescott
Harrell	Quinn
Harris of Archer	Ragsdale
Harris of Dallas	Reader
Harris of Dickens	Reed of Bowie
Hartzog	Reed of Dallas
Heflin	Rhodes
Herzik	Riddle

Roark	Tarwater
Ross	Tennant
Russell	Tennyson
Rutta	Thornberry
Settle	Thornton
Sewell	Waggoner
Sharpe	Walker
Simpson	Weldon
Skaggs	Westbrook
Smith of Tarrant	Winfree
Stevenson	Wood
Stocks	Worley
Talbert	

Present—Not Voting

Powell

Absent

Broadfoot	Schuenemann
Celaya	Shell
Hoskins	Smith of Hopkins
Jones of Atascosa	Smith
Loggins	of Matagorda
Palmer	Stinson

Absent—Excused

Dean	Kern
Dollins	McFarland
Fielden	McKee
Howard	Patterson of Mills
Jones of Angelina	Vale
Kenyon	

#### HOUSE BILL NO. 976 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage, H. B. No. 976, A bill to be entitled "An Act validating all conveyances made by Goliad County Commissioners' Court or under their authority of County or public school land and making such conveyance valid whether made at public auction or private sale, and declaring an emergency."

The bill was read third time, and was passed.

#### HOUSE BILL NO. 1100 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 1100, A bill to be entitled "An Act creating a special road law for Scurry County, Texas, providing that said County fund or refund indebtedness outstanding against its road and bridge fund as of March 31, 1937, including bonds, interest-bearing time warrants and scrip warrants by the issuance of funding or refunding bonds or warrants, either or both,

setting forth the method of issuing same; . . . etc., and declaring an emergency."

The bill was read third time, and was passed by the following vote:

Yeas—124

Adkins	Johnson of Ellis
Alexander	Johnson
Alsup	of Tarrant
Amos	Jones of Falls
Baker	Jones of Wise
Bates	Keefe
Beckworth	Keith
Bell	Kelt
Blankenship	King
Boethel	Knetsch
Bond	Langdon
Boyer	Lanning
Bradbury	Leonard
Bradford	Leyendecker
Brown	Little
Burton	Loggins
Cagle	London
Callan	Lucas
Carssow	Mann
Cathey	Mauritz
Cauthorn	Mays
Celaya	McConnell
Cleveland	McCracken
Davis of Haskell	McDonald
Davis of Jasper	McKinney
Davison of Fisher	Metcalfe
Davison	Moffett
of Eastland	Monkhouse
Deglandon	Morris
Derden	Morse
Dickison	Newton
England	Nicholson
Farmer	Oliver
Felty	Patterson
Fox	of Travis
Fuchs	Petsch
Gibson	Powell
Graves	Prescott
Hamilton	Quinn
Hankamer	Ragsdale
Hanna	Reader
Harbin	Reed of Bowie
Hardin	Reed of Dallas
Harper	Rhodes
Harris of Archer	Riddle
Harris of Dallas	Roark
Harris of Dickens	Ross
Hartzog	Russell
Heflin	Rutta
Herzik	Settle
Holland	Sewell
Hoskins	Simpson
Huddleston	Skaggs
Hull	Smith of Tarrant
Hyder	Stevenson
Jackson	Stinson
James	Stocks

Talbert	Walker	Fuchs	Metcalf
Tarwater	Weldon	Gibson	Moffett
Tennant	Westbrook	Graves	Monkhouse
Tennyson	Winfree	Hamilton	Morris
Thornberry	Wood	Hankamer	Morse
Thornton	Worley	Hanna	Newton
Waggoner		Harbin	Nicholson
	Absent	Hardin	Oliver
Bridgers	Pope	Harper	Patterson
Broadfoot	Schuenemann	Harrell	of Travis
Colquitt	Sharpe	Harris of Archer	Petsch
Harrell	Shell	Harris of Dallas	Powell
Jones of Atascosa	Smith of Hopkins	Harris of Dickens	Prescott
Lankford	Smith	Hartzog	Quinn
Leath	of Matagorda	Heflin	Ragsdale
Palmer		Herzik	Reader
	Absent—Excused	Holland	Reed of Bowie
Dean	Kern	Huddleston	Reed of Dallas
Dollins	McFarland	Hyder	Rhodes
Fielden	McKee	Jackson	Riddle
Howard	Patterson of Mills	James	Roark
Jones of Angelina	Vale	Johnson of Ellis	Ross
Kenyon		Johnson	Russell
		of Tarrant	Rutta
HOUSE BILL NO. 1105 ON THIRD		Jones of Falls	Settle
READING		Jones of Wise	Sewell
		Keefe	Simpson
The Speaker laid before the House,		Keith	Skaggs
on its third reading and final passage,		Kelt	Smith of Tarrant
H. B. No. 1105, A bill to be entitled		King	Stevenson
"An Act amending Chapter 66, Forty-		Knetsch	Stinson
second Legislature, Regular Session,		Langdon	Stocks
Section 1, exempting Jack County		Lanning	Talbert
from the provisions of the Act; pro-		Leonard	Tarwater
viding for the regulation and pro-		Leyendecker	Tennant
tection of catching and taking of fish		Little	Tennyson
in Jack County, prohibiting the sale		Loggins	Thornberry
or purchase of any fish caught in any		London	Thornton
waters in Jack County; providing for		Lucas	Waggoner
a penalty, and declaring an emer-		Mann	Walker
gency."		Mauritz	Weldon
The bill was read third time, and		Mays	Westbrook
was passed by the following vote:		McConnell	Winfree
		McCracken	Wood
		McDonald	Worley
		McKinney	
			Absent
Yeas—122		Bradford	Palmer
Adkins	Carssow	Bridgers	Pope
Alexander	Cathey	Brown	Schuenemann
Alsup	Cauthorn	Colquitt	Sharpe
Amos	Celaya	Hoskins	Shell
Baker	Cleveland	Hull	Smith of Hopkins
Bates	Davis of Haskell	Jones of Atascosa	Smith
Beckworth	Davis of Jasper	Lankford	of Matagorda
Bell	Davison of Fisher	Leath	
Blankenship	Davisson		Absent—Excused
Boethel	of Eastland		
Bond	Deglandon	Dean	Kern
Boyer	Derden	Dollins	McFarland
Bradbury	Dickson	Fielden	McKee
Broadfoot	England	Howard	Patterson of Mills
Burton	Farmer	Jones of Angelina	Vale
Cagle	Felty	Kenyon	
Callan	Fox		

HOUSE BILL NO. 1109 ON THIRD  
READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 1109, A bill to be entitled "An Act to amend Article 1645, Title 34, of the Revised Civil Statutes of the State of Texas of 1925, as amended by Chapter 35, General and Special Laws passed at the First Called Session of the Fortieth Legislature, as amended by Chapter 28, General and Special Laws passed at the First Called Session of the Forty-first Legislature, . . . etc., and providing that if any portion of this Act be declared unconstitutional or invalid, the remainder shall not be affected thereby."

The bill was read third time, and was passed by the following vote:

Yeas—127

Adkins	Hankamer
Alexander	Hanna
Alsup	Harbin
Amos	Hardin
Baker	Harper
Bates	Harrell
Beckworth	Harris of Archer
Bell	Harris of Dallas
Blankenship	Harris of Dickens
Boethel	Hartzog
Bond	Heflin
Boyer	Herzik
Bradbury	Holland
Bridgers	Hoskins
Broadfoot	Huddleston
Brown	Hull
Burton	Hyder
Cagle	Jackson
Callan	James
Carssow	Johnson of Ellis
Cathey	Johnson
Cauthorn	of Tarrant
Celaya	Jones of Falls
Cleveland	Jones of Wise
Davis of Haskell	Keefe
Davis of Jasper	Keith
Davison of Fisher	Kelt
Davisson	King
of Eastland	Knetsch
Deglandon	Langdon
Derden	Lanning
Dickison	Leath
England	Leonard
Farmer	Leyendecker
Felty	Little
Fox	Loggins
Fuchs	London
Gibson	Lucas
Graves	Mann
Hamilton	Mauritz

Mays	Roark
McConnell	Ross
McCracken	Russell
McDonald	Rutta
McKinney	Settle
Metcalfe	Sewell
Moffett	Simpson
Monkhouse	Skaggs
Morris	Smith of Tarrant
Morse	Stevenson
Newton	Stinson
Nicholson	Stocks
Oliver	Talbert
Patterson	Tarwater
of Travis	Tennant
Petsch	Tennyson
Pope	Thornberry
Powell	Thornton
Prescott	Waggoner
Quinn	Walker
Reader	Weldon
Reed of Bowie	Westbrook
Reed of Dallas	Winfree
Rhodes	Wood
Riddle	Worley

## Absent

Bradford	Schuenemann
Colquitt	Sharpe
Jones of Atascosa	Shell
Lankford	Smith of Hopkins
Palmer	Smith
Ragsdale	of Matagorda

## Absent—Excused

Dean	Kern
Dollins	McFarland
Fielden	McKee
Howard	Patterson of Mills
Jones of Angelina	Vale
Kenyon	

HOUSE BILL NO. 420 ON THIRD  
READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 420, A bill to be entitled "An Act providing Workmen's Compensation for State employees; defining certain terms; placing administration of the Act in the Industrial Accident Board and prescribing the duties and defining the powers of the Board; providing for the filing of claims; providing for payment to the beneficiary in case of death; providing the rate of compensation to be paid injured employees; providing the Board may require examination of applicants for compensation; providing for time of filing notice of injury and of claim for compensation; providing for appeals from the rules of the Board to

certain courts; . . . etc., declaring the provisions of this Act to be severable, and declaring an emergency."

The bill was read third time, and was passed by the following vote:

## Yeas—126

Adkins	Jackson
Alexander	James
Alsup	Johnson of Ellis
Amos	Johnson
Baker	of Tarrant
Bates	Jones of Falls
Beckworth	Jones of Wise
Bell	Keefe
Blankenship	Keith
Boethel	Kelt
Bond	King
Boyer	Knetsch
Bradbury	Langdon
Bradford	Lankford
Bridgers	Lanning
Broadfoot	Leath
Brown	Leonard
Burton	Leyendecker
Cagle	Little
Callan	Loggins
Carssow	London
Cathey	Lucas
Cauthorn	Mann
Cleveland	Mauritz
Davis of Haskell	Mays
Davis of Jasper	McConnell
Davison of Fisher	McCracken
Davisson	McDonald
of Eastland	McKinney
Deglandon	Metcalfe
Derden	Moffett
Dickison	Monkhouse
England	Morris
Farmer	Morse
Felty	Newton
Fox	Nicholson
Fuchs	Oliver
Gibson	Patterson
Graves	of Travis
Hamilton	Petsch
Hankamer	Pope
Hanna	Powell
Harbin	Prescott
Hardin	Quinn
Harper	Reader
Harrell	Reed of Dallas
Harris of Archer	Rhodes
Harris of Dallas	Riddle
Harris of Dickens	Roark
Hartzog	Ross
Heflin	Russell
Herzik	Rutta
Holland	Settle
Hoskins	Sewell
Huddleston	Simpson
Hull	Skaggs
Hyder	Smith of Tarrant

Stinson	Waggoner
Stocks	Walker
Talbert	Weldon
Tarwater	Westbrook
Tennant	Winfree
Tennyson	Wood
Thornberry	Worley
Thornton	

## Absent

Celaya	Sharpe
Colquitt	Shell
Jones of Atascosa	Smith of Hopkins
Palmer	Smith
Ragsdale	of Matagorda
Reed of Bowie	Stevenson
Schuenemann	

## Absent—Excused

Dean	Kern
Dollins	McFarland
Fielden	McKee
Howard	Patterson of Mills
Jones of Angelina	Vale
Kenyon	

## HOUSE BILL NO. 1119 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 1119, A bill to be entitled "An Act to validate the organization and creation of all county line independent school districts heretofore formed under certain conditions by the consolidation of an existing county line independent district with a contiguous common school district; validating all acts of the Board of Trustees of such existing county line independent school districts in ordering and declaring the results of an election or elections held in such county line independent school districts on the question of such consolidation; . . . etc., and declaring an emergency."

The bill was read third time, and was passed by the following vote:

## Yeas—122

Adkins	Brown
Alsup	Burton
Amos	Cagle
Baker	Callan
Bates	Carssow
Beckworth	Cathey
Bell	Cauthorn
Blankenship	Cleveland
Boethel	Colquitt
Bond	Davis of Haskell
Boyer	Davison of Fisher
Bradbury	Davisson
Bridgers	of Eastland
Broadfoot	Deglandon



Derden	McConnell
England	McDonald
Farmer	McKinney
Felty	Metcalfe
Fox	Moffett
Fuchs	Monkhouse
Gibson	Morris
Graves	Morse
Hamilton	Newton
Hankamer	Oliver
Hanna	Patterson
Harbin	of Travis
Hardin	Petsch
Harper	Pope
Harrell	Powell
Harris of Archer	Prescott
Harris of Dallas	Quinn
Harris of Dickens	Ragsdale
Hartzog	Reader
Heflin	Reed of Dallas
Herzik	Rhodes
Holland	Riddle
Hoskins	Roark
Huddleston	Ross
Hull	Russell
Hyder	Rutta
Jackson	Settle
James	Sewell
Johnson of Ellis	Sharpe
Johnson	Simpson
of Tarrant	Skaggs
Jones of Falls	Smith of Tarrant
Jones of Wise	Stevenson
Keefe	Stinson
Keith	Stocks
Kelt	Talbert
King	Tarwater
Knetsch	Tennant
Langdon	Tennyson
Lankford	Thornberry
Lanning	Thornton
Leonard	Waggoner
Leyendecker	Walker
Little	Weldon
Loggins	Westbrook
London	Winfree
Lucas	Wood
Mann	Worley
Mauritz	
Absent	
Alexander	Nicholson
Bradford	Palmer
Celaya	Reed of Bowie
Davis of Jasper	Schuenemann
Dickison	Shell
Jones of Atascosa	Smith of Hopkins
Leath	Smith
Mays	of Matagorda
McCracken	
Absent—Excused	
Dean	Howard
Dollins	Jones of Angelina
Fielden	Kenyon

Kern	Patterson of Mills
McFarland	Vale
McKee	

## HOUSE BILL NO. 1124 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage, H. B. No. 1124, A bill to be entitled "An Act repealing House Bill No. 185, Acts of the Forty-third Legislature, relating to the hunting, taking, or killing of squirrels in the counties of San Augustine and Sabine of Texas."

The bill was read third time.

Mr. Westbrook offered the following amendment to the bill:

Amend House Bill No. 1124, by adding a new section to be known as Section 3, and to read as follows:

"All laws and parts of laws in conflict herewith are hereby repealed. House Bill No. 185, being Chapter 9, Special Laws of the Forty-third Legislature is hereby expressly repealed."

Amend the caption to conform to the changes in the body of the bill.

The amendment was adopted.

House Bill No. 1124 was then passed by the following vote:

Yeas—127

Adkins	Deglandon
Alexander	Derden
Alsup	Dickison
Amos	Farmer
Baker	Felty
Bates	Fox
Beckworth	Fuchs
Bell	Gibson
Blankenship	Graves
Boethel	Hamilton
Bond	Hankamer
Boyer	Hanna
Bradbury	Harbin
Bridgers	Hardin
Broadfoot	Harper
Brown	Harrell
Burton	Harris of Archer
Cagle	Harris of Dallas
Callan	Harris of Dickens
Carssow	Hartzog
Cathey	Heflin
Cauthorn	Herzik
Cleveland	Holland
Colquitt	Hoskins
Davis of Haskell	Huddleston
Davis of Jasper	Hull
Davison of Fisher	Hyder
Davison	Jackson
of Eastland	James

Johnson of Ellis	Petsch
Johnson	Pope
of Tarrant	Powell
Jones of Falls	Prescott
Jones of Wise	Quinn
Keefe	Ragsdale
Keith	Reader
Kelt	Reed of Bowie
King	Reed of Dallas
Knetsch	Rhodes
Langdon	Riddle
Lankford	Roark
Lanning	Ross
Leath	Russell
Leonard	Rutta
Leyendecker	Settle
Little	Sewell
Loggins	Sharpe
London	Simpson
Lucas	Skaggs
Mann	Smith of Tarrant
Mauritz	Stevenson
Mays	Stinson
McCracken	Stocks
McDonald	Talbert
McKinney	Tarwater
Metcalfe	Tennant
Moffett	Tennyson
Monkhouse	Thornberry
Morris	Thornton
Morse	Waggoner
Newton	Walker
Nicholson	Weldon
Oliver	Westbrook
Patterson	Wood
of Travis	Worley

Present—Not Voting

McConnell

Absent

Bradford	Shell
Celaya	Smith of Hopkins
England	Smith
Jones of Atascosa	of Matagorda
Palmer	Winfree
Schuenemann	

Absent—Excused

Dean	Kern
Dollins	McFarland
Fielden	McKee
Howard	Patterson of Mills
Jones of Angelina	Vale
Kenyon	

## HOUSE BILL NO. 1127 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 1127, A bill to be entitled "An Act providing for the designation of the territorial limits of unincorporated cities, towns and villages

through which State Highways and public roads pass, and providing for the designation of school zones on State Highways, public roads and streets and alleys, and providing for the erection and maintenance of signs, markers, signals or lights designating the limits of such unincorporated cities, towns or villages; . . . etc., and declaring an emergency."

The bill was read third time, and was passed by the following vote:

Yeas—126

Adkins	Heflin
Alexander	Herzik
Alsup	Holland
Amos	Hoskins
Baker	Huddleston
Bates	Hull
Beckworth	Hyder
Bell	Jackson
Blankenship	James
Boethel	Johnson of Ellis
Bond	Johnson
Boyer	of Tarrant
Bradbury	Jones of Falls
Bradford	Jones of Wise
Bridgers	Keefe
Broadfoot	Keith
Brown	Kelt
Burton	King
Cagle	Knetsch
Callan	Langdon
Carssow	Lanning
Cathey	Leath
Cauthorn	Leonard
Cleveland	Leyendecker
Colquitt	Little
Davis of Haskell	Loggins
Davis of Jasper	London
Davison of Fisher	Lucas
Davisson	Mann
of Eastland	McConnell
Deglandon	McCracken
Derden	McDonald
Dickison	Metcalfe
Farmer	Moffett
Felty	Monkhouse
Fox	Morris
Fuchs	Morse
Gibson	Newton
Graves	Nicholson
Hamilton	Oliver
Hankamer	Patterson
Hanna	of Travis
Harbin	Petsch
Hardin	Pope
Harper	Powell
Harrell	Prescott
Harris of Archer	Quinn
Harris of Dallas	Ragsdale
Harris of Dickens	Reader
Hartzog	Reed of Bowie

Reed of Dallas	Stocks	Bridgers	Leyendecker
Rhodes	Talbert	Broadfoot	Little
Riddle	Tarwater	Brown	Loggins
Roark	Tennant	Burton	London
Ross	Tennyson	Cagle	Lucas
Russell	Thornberry	Callan	Mann
Rutta	Thornton	Carssow	Mauritz
Settle	Waggoner	Cathey	Mays
Sewell	Walker	Cauthorn	McConnell
Sharpe	Weldon	Celaya	McCracken
Simpson	Westbrook	Cleveland	McDonald
Skaggs	Winfree	Colquitt	Metcalfe
Smith of Tarrant	Wood	Davis of Haskell	Moffett
Stevenson	Worley	Davis of Jasper	Monkhouse
Stinson		Davison of Fisher	Morris
	Absent	Davisson	Morse
		of Eastland	Newton
Celaya	Palmer	Deglandon	Nicholson
England	Schuenemann	Derden	Oliver
Jones of Atascosa	Shell	Dickson	Patterson
Lankford	Smith of Hopkins	England	of Travis
Mauritz	Smith	Farmer	Petsch
Mays	of Matagorda	Felty	Pope
McKinney		Fox	Powell
	Absent—Excused	Fuchs	Prescott
		Gibson	Quinn
Dean	Kern	Graves	Ragsdale
Dollins	McFarland	Hamilton	Reader
Fielden	McKee	Hankamer	Reed of Bowie
Howard	Patterson of Mills	Hanna	Reed of Dallas
Jones of Angelina	Vale	Harbin	Rhodes
Kenyon		Hardin	Riddle
		Harper	Roark
		Harrell	Ross
		Harris of Archer	Russell
		Harris of Dallas	Rutta
		Harris of Dickens	Schuenemann
		Hartzog	Settle
		Heflin	Sewell
		Herzik	Sharpe
		Holland	Shell
		Hoskins	Simpson
		Huddleston	Skaggs
		Hull	Smith of Tarrant
		Hyder	Stinson
		Jackson	Stocks
		James	Talbert
		Johnson of Ellis	Tarwater
		Johnson	Tennant
		of Tarrant	Tennyson
		Jones of Falls	Thornberry
		Jones of Wise	Thornton
		Keefe	Waggoner
		Kelt	Walker
		King	Weldon
		Knetsch	Westbrook
		Langdon	Winfree
		Lankford	Wood
		Lanning	Worley
		Leonard	
			Absent
		Jones of Atascosa	McKinney
		Keith	Palmer
		Leath	Smith of Hopkins

# HOUSE BILL NO. 1128 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 1128, A bill to be entitled "An Act amending Article 2922A, Revised Civil Statutes as amended by Acts, 1925, Thirty-ninth Legislature, page 204, Chapter 59, as amended by Acts, 1927, Fortieth Legislature, First Called Session, page 206, Chapter 78, by adding another section to be entitled Section 2922 AA, providing for the consolidation of Rural High School Districts and Common School Districts upon an election being held in the respective districts; and providing for an election adjusting the bonded indebtedness, and declaring an emergency."

The bill was read third time, and was passed by the following vote:

Yeas—130

Adkins	Bell
Alexander	Blankenship
Alsup	Boethel
Amos	Bond
Baker	Boyer
Bates	Bradbury
Beckworth	Bradford

Smith  
of Matagorda

Stevenson

Absent—Excused

Dean

Kern

Dollins

McFarland

Fielden

McKee

Howard

Patterson of Mills

Jones of Angelina

Vale

Kenyon

HOUSE BILL NO. 1129 ON THIRD  
READING

The Speaker laid before the House,  
on its third reading and final passage,

H. B. No. 1129, A bill to be entitled  
"An Act granting to Willie Wise per-  
mission to bring suit against the State  
of Texas and/or the Texas Relief  
Commission; . . . etc., and declaring  
an emergency."

The bill was read third time, and  
was passed by the following vote:

Yeas—126

Adkins

Gibson

Alexander

Graves

Alsup

Hamilton

Amos

Hankamer

Baker

Hanna

Bates

Harbin

Beckworth

Hardin

Bell

Harrell

Blankenship

Harris of Archer

Boethel

Harris of Dallas

Bond

Harris of Dickens

Boyer

Hartzog

Bradbury

Heflin

Bradford

Herzik

Bridgers

Holland

Broadfoot

Hoskins

Brown

Huddleston

Burton

Hull

Cagle

Hyder

Callan

Jackson

Carssow

James

Cathey

Johnson of Ellis

Cauthorn

Johnson

Celaya

of Tarrant

Cleveland

Jones of Falls

Davis of Haskell

Jones of Wise

Davis of Jasper

Keefe

Davison of Fisher

Kelt

Davisson

King

of Eastland

Knetsch

Deglandon

Langdon

Derden

Lankford

Dickison

Lanning

England

Leath

Farmer

Leonard

Felty

Leyendecker

Fox

Little

Fuchs

Loggins

London

Lucas

Mann

Mauritz

Mays

McConnell

McCracken

McDonald

Metcalf

Moffett

Monkhouse

Morris

Morse

Newton

Nicholson

Patterson

of Travis

Petsch

Powell

Prescott

Quinn

Ragsdale

Reader

Reed of Bowie

Reed of Dallas

Rhodes

Riddle

Roark

Ross

Russell

Rutta

Settle

Sewell

Sharpe

Shell

Simpson

Skaggs

Smith of Tarrant

Stevenson

Stinson

Stocks

Talbert

Tennant

Tennyson

Thornberry

Thornton

Waggoner

Walker

Weldon

Westbrook

Winfree

Wood

Worley

Absent

Colquitt

Pope

Harper

Schuenemann

Jones of Atascosa

Smith of Hopkins

Keith

Smith

McKinney

of Matagorda

Oliver

Tarwater

Palmer

Absent—Excused

Dean

Kern

Dollins

McFarland

Fielden

McKee

Howard

Patterson of Mills

Jones of Angelina

Vale

Kenyon

HOUSE BILL NO. 1132 ON THIRD  
READING

The Speaker laid before the House,  
on its third reading and final passage,

H. B. No. 1132, A bill to be entitled  
"An Act amending Senate Bill No.  
527 passed at the Regular Session of  
the Forty-third Legislature, 1933;  
providing for changing and prescrib-  
ing times of holding court in the 84th  
Judicial District of Texas; . . . etc.,  
and declaring an emergency."

The bill was read third time.

On motion of Mr. Boyer, the bill  
was laid on the table subject to call.

HOUSE BILL NO. 1136 ON THIRD  
READING

The Speaker laid before the House,  
on its third reading and final passage,

H. B. No. 1136, A bill to be entitled "An Act providing that Limestone County, Texas, may fund or refund the indebtedness outstanding against its Permanent Improvement Fund as of May 1st, 1937; setting forth the method of operation; validating the indebtedness proposed to be funded or refunded; . . . etc., and declaring an emergency."

The bill was read third time.

Mr. Hardin offered the following amendment to the bill:

Amend House Bill No. 1136, by adding a new section after Section one to be known as Section one A (1A) and to read as follows: "Providing that all bonds issued under this Act shall be optional bonds and all Commissioners Courts of Limestone County, Texas, may redeem any such amount of such bonds upon giving thirty days notice to the bond holders."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 1136 was then passed by the following vote:

Yeas—129

Adkins	Deglandon
Alexander	Derden
Alsup	Dickison
Amos	England
Baker	Farmer
Bates	Felty
Beckworth	Fox
Bell	Fuchs
Blankenship	Gibson
Boethel	Graves
Bond	Hamilton
Boyer	Hankamer
Bradbury	Hanna
Bradford	Harbin
Bridgers	Hardin
Broadfoot	Harper
Brown	Harrell
Burton	Harris of Archer
Cagle	Harris of Dallas
Callan	Harris of Dickens
Carssow	Hartzog
Cathey	Heflin
Cauthorn	Herzik
Cleveland	Holland
Colquitt	Hoskins
Davis of Haskell	Huddleston
Davis of Jasper	Hull
Davison of Fisher	Hyder
Davison	Jackson
of Eastland	James

Johnson of Ellis  
Johnson  
of Tarrant  
Jones of Falls  
Jones of Wise  
Keefe  
Keith  
Kelt  
King  
Knetsch  
Langdon  
Lankford  
Lanning  
Leath  
Leonard  
Leyendecker  
Little  
Loggins  
London  
Lucas  
Mann  
Mays  
McConnell  
McCracken  
McDonald  
Metcalf  
Moffett  
Monkhouse  
Morris  
Morse  
Newton  
Nicholson  
Oliver  
Patterson  
of Travis  
Petsch

Pope  
Powell  
Prescott  
Quinn  
Ragsdale  
Reader  
Reed of Bowie  
Reed of Dallas  
Rhodes  
Riddle  
Roark  
Ross  
Russell  
Rutta  
Schuenemann  
Settle  
Sewell  
Sharpe  
Shell  
Simpson  
Skaggs  
Stevenson  
Stinson  
Stocks  
Talbert  
Tarwater  
Tennant  
Tennyson  
Thornberry  
Thornton  
Waggoner  
Walker  
Weldon  
Westbrook  
Winfree  
Wood

Absent

Celaya	Smith of Hopkins
Jones of Atascosa	Smith
Mauritz	of Matagorda
McKinney	Smith of Tarrant
Palmer	Worley

Absent—Excused

Dean	Kern
Dollins	McFarland
Fielden	McKee
Howard	Patterson of Mills
Jones of Angelina	Vale
Kenyon	

#### HOUSE BILL NO. 557 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 557, A bill to be entitled "An Act providing for the licensing of all persons before engaging in the business of handling perishable agricultural commodities as defined in this Act, whether as a commission merchant, dealer, broker or as agent of any commission merchant, dealer,

or broker; defining certain terms as used herein; providing manner of settlement by licensees with producer, seller or owner; providing that all contracts between dealers and owners, sellers or producers, shall be in writing and providing time and manner of settlement, making it unlawful for any person to engage in business as a commission merchant, dealer, broker or as an agent of any commission merchant, dealer or broker without first complying with the terms and provisions of this Act; . . . etc., and declaring an emergency."

The bill was read third time.

Mr. Worley offered the following amendment to the bill:

Amend House Bill No. 557, by adding after the last word in Section 5 the following:

"Nothing in this Act shall apply to truckers paying cash for such commodities."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 557 was then passed.

#### HOUSE BILL NO. 875 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 875, A bill to be entitled "An Act providing relief for the Leesville Common School District No. 27 and the Dewitt Common School District No. 47 in Gonzales County in replacing and repairing damage to buildings and equipment caused by a calamitous flood resulting from a cloud-burst on July 1st, 1936; making an appropriation for said Districts to replace and repair such damage, and declaring an emergency."

The bill was read third time.

Mr. Worley offered the following amendment to the bill:

Amend House Bill No. 875, by adding at the proper place a new section to read as follows:

"There is hereby appropriated out of the General Revenue Fund, from monies not otherwise appropriated, the sum of Twelve Hundred (\$1,200.00) Dollars, to be made immediately available on the passage of this bill. This money is appropriated for the purpose of assisting the Allison Independent

School District to secure with the assistance of the Works Progress Administration, needed repairs to the Allison Independent School District Building, and is hereby made available on the contingency the Works Progress Administration shall cooperate with such independent school district.

Said money cannot be paid except on warrants of the Comptroller, on sworn accounts as needed, and as the construction progresses."

Mr. Hoskins raised a point of order, on consideration of the amendment, on the ground that the amendment is not germane to the bill.

The Speaker sustained the point of order.

House Bill No. 875 was then passed by the following vote:

#### Yeas—100

Adkins	Holland
Alsup	Hoskins
Amos	Huddleston
Baker	Hull
Bates	Hyder
Beckworth	Jackson
Bell	James
Blankenship	Johnson of Ellis
Boethel	Johnson
Boyer	of Tarrant
Bridgers	Jones of Falls
Brown	Keefe
Cagle	King
Cathey	Langdon
Cauthorn	Lankford
Celaya	Leonard
Cleveland	Leyendecker
Davis of Haskell	Little
Davis of Jasper	Loggins
Davison of Fisher	Lucas
Davisson	Mann
of Eastland	Mauritz
Derden	Mays
Dickison	McDonald
England	Metcalfe
Farmer	Moffett
Felty	Monkhous
Fox	Morris
Fuchs	Morse
Graves	Newton
Hamilton	Nicholson
Hankamer	Oliver
Hanna	Patterson
Harbin	of Travis
Hardin	Petsch
Harper	Pope
Harrell	Prescott
Harris of Dallas	Quinn
Harris of Dickens	Reader
Hartzog	Reed of Dallas
Heflin	Rhodes
Herzik	Riddle

Roark	Smith of Tarrant
Ross	Stocks
Rutta	Talbert
Schuenemann	Thornberry
Settle	Thornton
Sewell	Waggoner
Sharpe	Weldon
Shell	Westbrook
Simpson	Winfree
Skaggs	

## Nays—18

Bond	London
Bradford	McConnell
Burton	McCracken
Callan	Powell
Deglandon	Reed of Bowie
Gibson	Russell
Harris of Archer	Tennant
Jones of Wise	Walker
Knetsch	Wood

## Present—Not Voting

Bradbury	Tarwater
Kelt	

## Absent

Alexander	Palmer
Broadfoot	Ragsdale
Carssow	Smith of Hopkins
Colquitt	Smith
Jones of Atascosa	of Matagorda
Keith	Stevenson
Lanning	Stinson
Leath	Tennyson
McFarland	Worley
McKinney	

## Absent—Excused

Dean	Kenyon
Dollins	Kern
Fielden	McKee
Howard	Patterson of Mills
Jones of Angelina	Vale

## SENATE BILL NO. 177 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 177, A bill to be entitled "An Act to amend Section 7 of Chapter 13, Acts of the Third Called Session of the Forty-second Legislature, as amended by Chapter 136, Acts of the Regular Session of the Forty-third Legislature, as amended by Chapter 117, Acts of the First Called Session of the Forty-third Legislature, and as amended by Chapter 326, Acts of the Regular Session of the Forty-fourth Legislature, relative to the Board of County and District

Road Indebtedness, and declaring an emergency."

The bill was read second time.

Mr. Roark offered the following amendment to the bill:

Amend Senate Bill No. 177, page 2, line 21, by adding after the word "District" the following: "and all bonds, warrants and other evidences of indebtedness issued by counties or defined road districts of the State of Texas the proceeds of which were used in the construction of county or lateral roads which after having been so constructed have been or may hereafter be designated by the State Highway Commission and have become or may hereafter become a part of the State Highway System".

ROARK,  
JONES of Wise,  
DAVISON of Fisher,  
WORLEY.

On motion of Mr. Petsch, the amendment was tabled.

Senate Bill No. 177 was then passed to third reading.

## HOUSE BILL NO. 811 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 811, A bill to be entitled "An Act to amend Article 305, Revised Civil Statutes, 1925, pertaining to candidates applying for examination to practice law; fixing the educational qualifications for applicants for examination; authorizing the Board to waive certain rules of the Supreme Court; providing for liberal construction of certain provisions of this Act; authorizing recommendation of local bar associations in connection with the examination of applicants; providing for recommendations where no bar association exists in county of residence of applicant; and making such recommendation to prevail; exempting graduates of certain law schools in Texas from the requirement to take examination before the Board, and declaring an emergency."

The bill was read second time.

Mr. Knetsch offered the following amendment to the bill:

Amend House Bill No. 811, by striking out all of Section 2 and amend caption to conform with the body of bill.

The amendment was adopted.

Mr. Morris offered the following amendment to the bill:

Amend House Bill No. 811, by striking out Subsections (a) and (b) of Section 1 thereof and substituting the following:

"(a) In its discretion and for good cause shown in meritorious cases, the Board may waive, in specific cases, the rule of the Supreme Court which requires the applicant or declarant to register twenty-seven (27) months prior to the date when such applicant or declarant is to begin his examination; provided, however, that the exercise of such waiver shall be governed by such rules and regulations, if any, as may be prescribed or promulgated by the Supreme Court; and provided, further, that, as a condition precedent to the waiver of such requirement, the applicant or declarant shall file with the Board a written recommendation of the bar association of the county of residence of the applicant or declarant, which written recommendation shall be certified by the officers of said bar association and shall recommend that the Board waive such requirement. In the event there is no bar association in the county of residence of the applicant or declarant, then such written recommendation shall be obtained from the bar association of any county to which such other county is attached for judicial purposes.

"(b) The Board shall not recommend any person for license to practice law unless such person shall show to the Board, in the manner to be prescribed by the Supreme Court, that he is of such moral character and of such capacity and attainment that it would be proper for him to be licensed."

The amendment was adopted.

By unanimous consent of the House, certain amendment was ordered adopted, to the emergency clause of the bill.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 811 was then passed to engrossment.

#### HOUSE BILL NO. 832 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 832, A bill to be entitled "An Act to create the San Jacinto River Conservation and Reclamation District, under the authority of Section 59 of Article XVI of the Constitution of Texas, and defining the powers and duties of the said District; providing for temporary directors and organization and operation of the district; and the authority and duties of said temporary directors; providing for determining the area of the district for temporary organization and for permanent organization; providing certain duties for the State Board of Water Engineers, State Reclamation Engineers and the Governor of the State; providing for the manner of securing funds for engineering surveys and other purposes necessary to develop information essential to the ascertainment of the plan of improvement necessary to secure control of harmful flood waters, and the useful distribution of such water; providing that the said District shall be governed by the provisions of Chapter 25, of the General and Special Laws of the Regular Session of the Thirty-ninth Legislature and the various amendments thereto, in all respects not specifically otherwise provided in this Act; making an appropriation of Twenty-five Thousand (\$25,000.00) Dollars, and declaring an emergency."

The bill was read second time.

Mr. Powell offered the following committee amendment to the bill:

Amend House Bill No. 832, by striking out all after the enacting clause and inserting in lieu thereof the following:

"Section 1. It being declared by Constitutional Provision the policy of the State of Texas, Section 59, Article 16, to provide for the conservation and development of all the natural resources of the State, including the control, storing, preservation and distribution of its storm and flood water, the waters of its rivers and streams, for irrigation, power and all other useful purposes, the reclamation and irrigation of its arid, semi-arid, and other lands needing irrigation, the reclamation and drainage of its overflowed lands, and other lands needing drainage, the conservation and development of its forests, water and hydro-electric power, the navigation of its inland and coastal waters, and the preservation and conserva-



tion of all such natural resources of the State, are each and all hereby declared public rights and duties, which may be effected through the creation within the State, or the divisions of the State, into such number of conservation and reclamation districts as may be determined to be essential to the accomplishment of the purposes of the policy expressed in the Constitution of the State; such districts to be governmental agencies and bodies politic and corporate, with all rights, privileges and functions as may be conferred by law, there is hereby created the San Jacinto River Conservation and Reclamation District.

Section 2. The San Jacinto River Conservation and Reclamation District is created as a governmental agency, a body politic and corporate, vested with all the authority as such under the Constitution and laws of the State; and shall have and be recognized to exercise all of the powers of such governmental agency and body politic and corporate as expressly authorized in the provisions of the Constitution, Section 59 of Article 16, for districts created to conserve, control, and utilize to beneficial service the storm and flood waters of rivers and streams of the State, or such powers as may be contemplated and implied by the purposes of this provision of the Constitution, and as may be conferred by general law, and in the provisions of this Act; and shall have and be recognized to exercise all the rights and powers of an independent governmental agency, body politic and corporate to formulate any and all plans deemed essential to the operation of the district and for its administration in the control, storing, preservation and distribution to all useful purposes of the storm and flood waters of the San Jacinto River and its tributary streams; and as such district, shall have and be recognized to exercise such authority and power of control and regulation over such storm and flood waters of the San Jacinto River and its tributaries as may be exercised by the State of Texas, subject to the provisions of the Constitution and the Acts of the Legislature.

Section 3. The San Jacinto River Conservation and Reclamation District shall have and be recognized to exercise, in addition to all the gen-

eral powers vested by virtue of the Constitution and Statutes in a governmental agency and body politic and corporate, for the greatest practicable measure of the conservation and beneficial utilization of storm and flood waters, the powers of control and employment of such flood and storm waters of the said district in the manner and for the particular purposes hereinafter set forth:

(a) To provide through every practical and legal means for the control and the coordination of the regulation of the waters of the watershed of the San Jacinto River and its tributaries as a unit, including the power to cooperate with the United States Government or any agency thereof in effecting such purposes.

(b) To provide by adequate organization and administration for the preservation of the equitable rights of the people of the different sections of the watershed area of the beneficial use of storm and flood waters of the San Jacinto River and its tributary streams.

(c) For storing, controlling and conserving storm and flood waters of the San Jacinto River and its tributaries, and the prevention of the escape of any of such waters without the maximum of public services; for the prevention of devastation of lands from recurrent overflows, and the protection of life and property in such watershed area from uncontrolled flood waters.

(d) For the conservation of waters essential for the domestic uses of the people of the watershed of the San Jacinto River and its tributaries, including all necessary water supplies for cities and towns.

(e) For the irrigation of lands in the watershed of the San Jacinto River and its tributary streams where irrigation is required for agricultural purposes or may be deemed helpful to more profitable agricultural production; and for; the equitable distribution of storm and flood waters to the regional potential requirements for all uses, domestic, manufacturing and irrigation. All plans and all works provided by said district and as well, all works which may be provided under authority of said district should have primary regard to the necessary and potential needs for water, by or within the respective areas constituting the watershed of

the San Jacinto River and its tributary streams,

(f) For the better encouragement and development of drainage systems and provisions for drainage of lands in the valleys of the San Jacinto River and its tributary streams needing drainage for profitable agricultural production; and drainage for other lands in the watershed area of the district requiring drainage for the most advantageous use.

(g) For the purpose of encouraging the conservation of all soils against destructive erosion and thereby preventing the increased flood menace incident thereto.

(h) To control and make available for employment flood and storm waters in the development of commercial and industrial enterprises in all sections of the watershed area of the district.

(i) For the control, storing and employment of flood and storm waters in the development and distribution of hydro-electric power, where such use may be economically coordinated with other and superior uses, and subordinated to the uses declared by law to be superior.

(j) For the encouragement, aid and protection of navigation, and the protection of harbor improvements.

(k) And for each and every purpose for which flood and storm waters when controlled and conserved may be utilized in the performance of a useful service as contemplated and authorized by the provisions of the Constitution and the public policy therein declared.

Section 4. The powers and duties herein devolved upon the San Jacinto River Conservation and Reclamation District are recognized to be taken subject to all legislative declarations of public policy in the maximum utilization of the storm and flood waters of the State for the purposes for which the district is created, as expressed and indicated in this Act, and subject to the continuing rights of supervision by the State which shall be exercised through the State Board of Water Engineers, and in appropriate instances, by the State Reclamation Engineer, each of which agencies shall be charged with the authority and duty to approve, or to refuse to approve, the adequacy of any plan or plans for flood control or conservation improvement purposes devised by

the district for the achievement of the plans and purposes intended in the creation of the district, and which plans contemplate improvements supervised by the respective State authorities under the provisions of the general law.

Section 5. The area of said District is hereby established to comprise all the territory embraced within the Watershed of the San Jacinto River and its tributary streams, and is embraced within the following metes and bounds, to-wit:

Beginning at a point on the shore of San Jacinto Bay in Harris County 10-2/3 miles S 14° 15' W from the NW corner of Chambers County;

Thence N 5° 30' W 11 miles;

Thence N 25° W. 8-3/8 miles;

Thence N 37° 30' E. 4-1/3 miles to a point on the Harris-Liberty County Line 8-1/8 miles S 20° E from the most northerly NE corner of Harris County;

Thence N 44° E 14 miles;

Thence N 33° 15' W 17-1/3 miles to a point in the Liberty San Jacinto County line 8-2/3 miles N 61° E from the NW corner of Liberty County;

Thence N 27° 20' W 16-1/2 miles;

Thence N 50° 15' W 14-1/4 miles to a point on the San Jacinto-Walker County line, 7-3/4 miles S 7° 30' W from the NE corner of Walker County;

Thence S 79° 45' W 15-3/4 miles;

Thence N 85° W 14-1/4 miles to a point on the Walker-Grimes County line 9-1/2 miles S 7° 15' W from the NW corner of Walker County;

Thence S 68° 45' W 7 miles;

Thence S 10° 15' E 8-3/4 miles;

Thence S 6° W 12-1/2 miles;

Thence S 4° 15' E 11-1/3 miles to a point on the Grimes-Walker County line 8 miles S 87° 15' W from the SE corner of Grimes County;

Thence 28° 30' W 7-3/4 miles;

Thence S 15° 30' E 17-2/3 miles;

Thence S 82° 15' E 3-2/3 miles to a point on the Waller-Harris County line 7 miles N 18° W from the SE corner of Waller County;

Thence N 60° 45' E 6-2/3 miles;

Thence N 79° E 29-2/3 miles;

Thence S 57° E 6-1/2 miles;

Thence S 24° 30' E 14-1/4 miles at the confluence of San Jacinto River and Buffalo Bayou;

Thence S 59° 15' E 4-2/3 miles to a point of beginning,

It is provided, however, that the boundaries of said district as herein

established by metes and bounds shall control until the 1st day of January, 1939, prior to which date it shall be the duty of the State Reclamation Engineer to definitely locate by actual survey, the boundaries of said Watershed, and make topographic maps of all the area of the same, including within such boundaries all of the territory of the Watershed of the San Jacinto River and its tributary streams, and to file a certified copy of such boundaries and map with the Board of Directors of said Watershed District, and thereafter such boundaries as so established shall constitute the permanent boundaries of said District. It shall also be the duty of said State Reclamation Engineer to file certified copies of such boundaries and map with the Tax Assessing and Collecting Officers of each County included in whole or in part within said Watershed District.

Section 6. On the effective date of this Act it shall be the duty of the Governor to appoint a temporary Board of Directors for said watershed district, consisting of six (6) persons, each of whom shall be property tax-paying citizens of the area comprising said district. The members of said temporary Board of Directors, when appointed, shall qualify by taking the oath of office and executing a bond as hereinafter provided and shall organize by electing one of their number as President, one as Vice-president, one as Secretary and one as Treasurer. Each of said temporary directors shall take and subscribe to an oath of office, similar to the oath required of county commissioners, and shall execute bond in the sum of Five Thousand (\$5,000.00) Dollars payable to the District, the sufficiency of which bonds shall be determined by the State Board of Water Engineers, which bonds after being recorded in the official bond records of the county in which the district maintains its office shall be deposited with the Depository selected and approved for the deposit of the funds of the district. The terms of service of such temporary directors, and as well the years for which the tax providing plans for the district may be collected and appropriated as provided for in Section 8 hereof shall be for such length of time as may be required to actually formulate plans adequate to accomplish the purposes of this Act. The time at which such ade-

quate plans have been developed shall be determined by the State Board of Water Engineers and the Reclamation Engineer of Texas. As soon as may be done after the completion and the approval of plans directors other than temporary, shall be chosen for the district under other provisions of this Act.

Section 7. The temporary Board of Directors shall be authorized and directed to make surveys and engineering investigations for the information of the District and determine the plans necessary to the accomplishment of the purposes for which the District is created, as expressed in the provisions of this Act; and may employ engineers, attorneys, and all other technical and non-technical assistants or employees and fix and provide the amount and manner of their compensation for the making of such surveys, the preparation of plans and the collection of data essential to the determination of the character, extent and cost of all permanent improvements essential for the control of storm and flood waters of the District and their distribution to beneficial use in any and all practicable means throughout the area of the District as herein declared and for expenditures found essential in the maintenance and administration of the District. The members of the temporary Board of Directors shall receive a per diem of not more than Ten (\$10.00) Dollars a day for the period served, together with traveling and other necessary expenses. Provided, this per diem shall not exceed twenty days in any one year. Any director may perform any service required by the Board, but in such case may not receive the per diem and other compensation at the same time.

Section 8. For the purpose of providing funds requisite to procure necessary engineering surveys, the collection and compilation of data respecting regional and general conditions entering into and influencing the character and extent of the improvements necessary to the storage, control, conservation and equitable distribution, to the greatest public advantage of such flood waters when stored and controlled, it is hereby provided that any county lying in whole or in part within the area of the Temporary District, as herein defined, may contribute to the funds

from year to year for such engineering surveys and the compilation of data essential to the progress of flood control improvement in such amount as may be deemed an equitable part of the cost of such surveys and the compilation of necessary information in the estimated relations of such expenditures to the contemplated and probable benefit to be secured to the respective counties from the accomplishment of the plans and purposes of the creation of the District, and for the provision of such fund may make the necessary collections through their respective general funds, or may appropriate the amount of the estimated equitable contribution of such costs of developing essential engineering data from their general fund.

Section 9. At such time as the State Board of Water Engineers and the Reclamation Engineer of Texas shall determine and certify to the temporary directors of said District that the District has produced a plan adequately feasible and practicable to provide for the control and use of the storm and flood waters of the San Jacinto River and tributaries in such manner that the improvements upon one part of the watershed will be mechanically and economically related to all other required improvements upon such streams; and at such time, the temporary, or investigation period of such district shall be ended, and said district shall thereupon become a conservation and Reclamation District, having all and singular, the powers, duties, functions and to observe procedures insofar as the same may be applicable and practicable, to accomplish the purposes of this Act, as is provided by Chapter 25 of the General Laws of the Thirty-ninth Legislature, (Regular Session), and the several amendments thereof; provided, however, that the provisions of said Chapter 25, and the subsequent amendments thereto, shall not apply to any matter specifically provided for herein, or expressly or impliedly excluded relating to the creation of a district and to the issuance of preliminary bonds to finance the making of investigations upon which to base a plan for improvements and the levy of a tax therefor. It is, however, provided that the district may upon a vote of the qualified electors issue such preliminary bonds and levy a tax to re-

tire the same, which tax may be in addition to all other taxes hereby authorized; Section 15 of Chapter 280 General and Special Laws, of the Forty-first Legislature of Texas (Regular Session) amending said Chapter 25, General Laws of the Thirty-ninth Legislature, (Regular Session) and Section 6 of Chapter 107 of the General and Special laws of the Fortieth Legislature (First Called Session) amending said Chapter 25, shall not control this District but in lieu thereof it is specifically provided as follows:

(a) After the completion and approval of a plan for the coordination of improvements deemed adequate to serve said watershed as a whole, as hereinbefore provided for, the State Board of Water Engineers and the Reclamation Engineer of Texas in authorizing improvements to control the waters of, and/or in allocating the right to use waters from said San Jacinto River and its tributaries shall substantially conform to, and shall effectually preserve the benefits of, the plan formulated by this District, and said District shall have the right to enforce the observance of the same by judicial decree:

(b) This District shall have the power to provide and maintain improvements for the common benefit of said District as a whole, subject only in appropriate case to the constitutional and statutory provisions concerning a vote by the qualified electors of the district.

(c) Especially shall said District have all and singular the powers contained in Section 15 of said Chapter 280 relating to improvements peculiar to defined areas within a District.

(d) It is, however, further provided that if the electors of any defined area within this District desire they may become a Water Control and Improvement district for the purpose of independently providing, operating and maintaining improvements designed peculiarly to serve such defined area. Such contained defined area may be so constituted under the applicable provisions of said Chapter 25 of the General Laws of the Regular Session of the Thirty-ninth Legislature. In like manner any other political subdivision of the State of Texas being in whole or in part in this District may independently provide, maintain and operate works peculiarly designed to benefit such

body politic. In either case, however, such works and the operation thereof shall be constructed and operated in such manner as will conform to this District plan to the greatest practicable degree.

(e) To the extent necessary to enable this District to construct, maintain and operate works beneficial to the District as a whole or to give supervision, or to perform any service inuring to the benefit of the District as a whole and provide funds adequate to defray the cost of the administration to this District, it shall have the power to levy and collect taxes, equitably distributed, which taxes shall be in addition to other taxes that may lawfully be levied by the State and other political subdivisions thereof.

(f) Upon the completion of a plan for improvements by this District and the approval thereof, as before provided for in this Act, it shall be the duty of the temporary directors to order and give notice of an election of directors, and to canvass the returns of such election in the manner provided for in said Chapter 25, as amended. Such election shall be held on the second Monday in the calendar month beginning next after the expiration of ninety days from the day of such approval of plans for improvements, as herein provided.

The Directors to be elected shall be six (6) in number, and so far as practicable shall be chosen so as to give equitable regional representation to the several areas constituting the district.

Sec. 10. The San Jacinto River Conservation and Reclamation District shall not be authorized to issue bonds nor to incur any form of continuing obligations or indebtedness for purposes of effecting improvements comprehended in the plan of organization and administration of the district, nor incur any indebtedness in the form of a continuing charge upon land or properties within the District, unless such proposition shall have been submitted to the qualified property tax paying voters of the district, or, in appropriate case, such voters of a defined area or political subdivision within the district, and approved by a majority of such electors voting thereon.

Section 11. The permanent Board of Directors of the District shall be elected and constituted as follows:

1. The number of such directors shall be six (6). Such directors shall be elected by a vote of the electors of the District as a whole.

2. The two directors elected receiving the highest number of votes shall serve for six years; the two directors receiving the next highest number of votes shall serve for four years and the two directors receiving the next highest number of votes shall serve for two years.

3. Upon expiration of the term of any director there shall be held an election to determine a successor who shall hold office for the term of six years. The board of directors shall fill all vacancies on said board by appointment, and such appointees shall hold office for the unexpired term for which they were appointed.

4. An election for directors shall be held each biennium on the corresponding Monday in the same month in which the first election may be held.

Sec. 12. In the prosecution of the plans for which the District has been created for the storing, controlling, conserving and distributing to useful purposes the storm and flood waters of the San Jacinto River watershed, the district shall be recognized to have the right to make use of the bed and banks of the San Jacinto River and of its tributary streams for any and all purposes necessary to the accomplishment of the plans of the district.

Sec. 13. If any provisions of this Act, or any of the methods by which the Act is designed to become effective to the accomplishment of the purposes contemplated and expressed, shall be held invalid, such holding shall not affect the creation of the District or the validity of any of the other provisions of the Act.

Sec. 14. The importance of this legislation to a very large area of the most productive agricultural and other lands of the State, and the fact that the limited time remaining of this Session of the Legislature creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days be suspended and that this Act be placed upon its third reading and final passage, and said Rule is hereby suspended, and this Act shall take effect from and after its passage, and it is so enacted.

BRADFORD.

Mr. Powell offered the following amendment to the committee amendment:

Amend committee amendment number 1 to House Bill No. 832, Section 5, by changing the period after the word "district" in line 4, page 6 of the printed bill to a semi-colon, and by adding the following: "it is provided further that no territory lying within the boundaries of Harris County shall be included in such district, anything in this Act to the contrary notwithstanding; and all the territory embraced within the watershed of the San Jacinto River and its tributary streams lying within Harris County, is hereby expressly excepted from the boundaries of said district".

The amendment was adopted.

The committee amendment, as amended, was then adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 832 was then passed to engrossment.

#### HOUSE BILL NO. 1051 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1051, A bill to be entitled "An Act providing relief for the Common School District of San Augustine County, Texas, made necessary by reason of the fact that the Federal Government has purchased over forty-one per cent (41%) of the land in said County thereby taking off the tax rolls of such Districts a major portion of the valuation; making an appropriation for said Districts in said County to enable them to continue their program of education, and declaring an emergency."

The bill was read second time.

Mr. Westbrook offered the following committee amendment to the bill:

Amend House Bill No. 1051, Section 1 thereof, by striking from the latter part of said section the various school districts and amounts opposite thereof and insert in lieu thereof the following:

White Rock Common School District	\$ 29.76
Tinsley Common School District	29.76

Chumley Common School District	21.80
Greer Common School District	33.72
Goodwin Common School District	20.78
Norwood Common School District	398.47
Broadus Common School District	297.83
Wade Common School District	167.35
Lane Common School District	17.21
Lucas Common School District	247.92
Bayou Common School District	31.75

TOTAL \$1,296.35

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 1051 was then passed to engrossment.

#### HOUSE BILL NO. 1050 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1050, A bill to be entitled "An Act providing relief for the Common and Independent School Districts of Sabine County, Texas, made necessary by reason of the fact that the Federal Government has purchased over 70% of the land in said County thereby taking off the tax rolls of such Districts a major portion of the taxable valuation; making an appropriation for said Districts in said County to enable them to continue their program of education, and declaring an emergency."

The bill was read second time.

Mr. Westbrook offered the following committee amendment to the bill:

Amend House Bill No. 1050, Section 1 thereof, by striking from the latter part of said section the various school districts and amounts opposite thereof and insert in lieu thereof the following:

Yellowpine Common School District	\$ 431.10
Sandy Creek Common School District	126.40
Spring Hill Common School District	253.65

Lone Star Common School District	37.50
Gomer Common School District	125.50
Smith Common School District	282.90
Allen's O' Mill Common School District	53.60
Ross Springs Common School District	76.50
Armstreet Common School District	121.75
Sexton Common School District	25.67
Fairdale Common School District	191.93
Curry Hill Common School District	107.12
Camp Springs Common School District	43.87
Black Jack Common School District	106.56
Milam Common School District	181.32
Blue Springs Common School District	205.82
Hickory Hill Common School District	95.82
Six Mile Common School District	128.41
Patroon Common School District	157.81
Geneva Independent School District	230.47
Pineland Independent School District	127.35
Hemphill Independent School District	737.03
Brookeland Independent School District	165.51
<b>TOTAL</b>	<b>\$4,013.59</b>

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 1050 was then passed to engrossment.

#### HOUSE BILL NO. 1135 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1135, A bill to be entitled "An Act declaring it unlawful to take any fish from the waters of Hunt and Rains Counties, Texas, other than by ordinary hook line, set line or throw line, or by ordinary cordline, seine or net, the meshes of which are less than one and one-half inches

square; provided that any such seine or net may be used during the period from March 1st through September 30th of each year; fixing a penalty, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

#### HOUSE BILL NO. 1061 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1061, A bill to be entitled "An Act requiring owners of cattle affected with bang's disease to brand and tag them for identification after they have been tested and found to have such disease, and providing a penalty, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

#### HOUSE BILL NO. 1138 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1138, A bill to be entitled "An Act to amend Article 7333 of the 1925 Revised Civil Statutes of Texas, relating to the payment of fees and costs in tax suits, so as to provide for the payment, by the County, of costs of publication of citations, notices and all matters required or authorized by law to be published, in tax suits; repealing all laws in conflict herewith, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

#### HOUSE BILL NO. 1140 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1140, A bill to be entitled "An Act to repeal Chapter 20 of Special Laws of the Regular Session of the Forty-fourth Legislature."

The bill was read second time, and was passed to engrossment.

#### HOUSE BILL NO. 1146 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1146, A bill to be entitled

"An Act amending the 'Lower Colorado River Authority Act', Chapter 7, Acts of the Fourth Called Session of the Forty-third Legislature, by adding a new section to be known as Sec. 14-a, to provide that nothing in Sec. 14 or elsewhere in said Act shall prohibit the District from acquiring property from or selling property to the City of Austin upon such terms and conditions, and entering into such contractual relations thereto, as the District and the City may mutually agree upon, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

#### HOUSE BILL NO. 1148 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1148, A bill to be entitled "An Act amending Acts of 1935, Forty-fourth Legislature, Special Laws, page 1210, Chapter 45, prohibiting transportation of minnows of any and all species outside of the counties wherein such minnows are caught, seined, or taken, by adding thereto the County of Williamson and Burnet, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

#### HOUSE BILL NO. 1150 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1150, A bill to be entitled "An Act amending Section 7, Chapter 49, Local and Special Laws of the Thirty-fifth Legislature, Regular Session, creating the San Antonio Independent School District, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

#### HOUSE BILL NO. 1154 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1154, A bill to be entitled "An Act amending Article 2797, Revised Civil Statutes of Texas, and declaring an emergency."

The bill was read second time.

Mr. Quinn offered the following amendment to the bill:

Amend House Bill No. 1154, in line 18 of the printed bill, by adding after the word "schools" the following: "the school board may call an election if a petition is presented signed by thirty-five (35) per cent of the qualified property taxpayers requesting that a bond election be called. The board is authorized to call the election after receiving said petition and after notice has been published in a newspaper for four (4) consecutive weeks; If the bond election carries by a two-thirds majority of the qualified property taxpayers of said district, the school board".

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 1154 was then passed to engrossment.

#### HOUSE BILL NO. 1155 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1155, A bill to be entitled "An Act amending Section 2 of Article 3883, Revised Civil Statutes of Texas, 1925, as amended by Chapter 20, Acts of the Forty-first Legislature, Fourth Called Session as amended by Chapter 340, Acts of the Forty-second Legislature, Regular Session, as amended by Chapter 220, Acts of the Forty-third Legislature, Regular Session, by providing that in counties containing not less than 29,500 nor more than 30,000 population according to the last preceding Federal Census the Constable shall be allowed to retain out of the fees collected by such officer the sum of Twenty-four Hundred (\$2,400.00) Dollars, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

#### HOUSE BILL NO. 762 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 762, A bill to be entitled "An Act setting forth the title of the Superintendent of the hospital, his restrictions, rules and regulations,



and further the powers and duties of said Chief Executive Officer and the powers of the Board of Managers, and declaring an emergency."

The bill was read second time.

Mr. Hankamer offered the following amendment to the bill:

Amend House Bill No. 762, page 1, by striking out all of lines 13 to 18, both inclusive, and inserting in lieu thereof the following:

"Section 1. That Article 4485, of the Revised 1925 Civil Statutes of Texas, be, and the same is hereby amended, by adding thereto a new Article to be known as Article 4485-a, said new Article 4485-a to read as follows:

"Article 4485-a. In all Counties of this State having a population of less than three hundred thousand (300,000) inhabitants, according to the last preceding Federal Census, the Superintendent of the County or City-County Hospital shall be the chief executive officer of the Hospital, but shall, at all times, be subject to the by-laws, rules and regulations thereof, and to the powers of the Board of Managers.'"

The amendment was adopted.

Mr. Hankamer offered the following amendment to the bill:

Amend House Bill No. 762, page 2, lines 14 and 15, by striking out the words:

"And who is unable to pay for treatment in a private Hospital" and insert in lieu thereof the following:

"provided patients who are able financially to pay for hospitalization shall not be received until and unless such hospital shall have provided for all patients and applicants who are unable to pay for treatment in a private hospital have been provided for, as provided in Article 4486."

The amendment was adopted.

Mr. Hankamer offered the following amendment to the bill:

Amend House Bill No. 762, page 2, by adding after line 36, the following: "unless all patients and applicants who are unable to pay for hospitalization have been provided for."

The amendment was adopted.

Mr. Hankamer offered the following amendment to the bill:

Amend House Bill No. 762, by striking out all above the enacting

clause and inserting in lieu thereof the following:

#### "A BILL

#### To Be Entitled

"An Act amending Article 4485, of the 1925 Revised Civil Statutes of Texas, by adding thereto a new Article to be known as Article 4485-a, setting forth the title of the Superintendent of the County or City-County Hospital in all counties of this State having a population of less than three hundred thousand (300,000) inhabitants, according to the last preceding Federal Census, his restrictions, rules and regulations, and, further, the powers and duties of said Chief Executive Officer and the powers of the Board of Managers, and declaring an emergency."

The amendment was adopted.

House Bill No. 762 was then passed to engrossment.

#### HOUSE BILL NO. 763 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 763, A bill to be entitled "An Act providing for sworn applications to be filled out and sworn to by any application to any county hospital sustained by said County as to their destitute conditions, and failure of means to go elsewhere, and providing said applications must be filed prior to the entrance thereto or as soon thereafter as possible, and prior to the departure of said patient from said county hospital; providing further the duties and powers of said superintendent of said county sustained hospital and his restrictions and providing restrictions on all officers or employees of said hospital, and providing further that this Act shall not apply to admission of emergency cases, and declaring an emergency."

The bill was read second time.

Mr. Hankamer offered the following amendments to the bill:

Amend House Bill No. 763, page 1, by striking out all of lines 20 to 22, both inclusive, and inserting in lieu thereof the following:

"Section 1. That Article 4486, of the 1925 Revised Civil Statutes of Texas, be, and the same is hereby

amended, by adding thereto a new Article to be known as Article 4486-a, said new Article 4486-a to read as follows:

" 'Article 4486-a. In all counties of this State having a population of less than three hundred thousand (300,000) inhabitants, according to the last preceding Federal Census, any resident in which the County or City-County Hos- . . . . . ' "

Amend House Bill No. 763, page 2, line 17, by adding after the word "moving", a comma, and the following: "or his health seriously endangered. Provided, however, that if all patients and applicants who are unable to pay for hospitalization have been provided for, patients who are able to pay may be admitted".

Amend House Bill No. 763, page 3, by adding a comma at the end of line 1, and adding the following: "and without serious jeopardy to his health".

Amend House Bill No. 763, by striking out all above the enacting clause and inserting in lieu thereof the following:

#### "A BILL

#### To Be Entitled

"An Act amending Article 4486 of the 1925 Revised Civil Statutes of Texas, by adding thereto a new Article to be known as Article 4486-a, providing for sworn applications to be filled out and sworn to by any applicant to any county or city-county hospital in all counties of this State having a population of less than three hundred thousand (300,000) inhabitants, according to the last preceding Federal Census, sustained by said county as to their destitute conditions, and failure of means to go elsewhere, and providing said applications must be filed prior to the entrance thereto, or as soon thereafter as possible, and prior to the departure of said patient from said County Hospital; providing further, the duties and powers of said Superintendent of said County sustained Hospital, and his restrictions, and providing restrictions on all officers or employees of said Hospital, and providing further that this Act shall not apply to admission of emergency cases, and declaring an emergency."

The amendments were severally adopted.

House Bill No. 763 was then passed to engrossment.

#### TO GRANT PERMISSION TO SUE THE STATE

The Speaker laid before the House, for consideration at this time, House Concurrent Resolution No. 117, Granting H. J. Birdsong permission to sue the State.

The resolution having heretofore been read second time and referred to the Committee on State Affairs.

The Committee on State Affairs having recommended the adoption of the resolution.

The resolution was adopted.

#### SENATE BILL NO. 270 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 270, A bill to be entitled "An Act to amend Article 3899 of the Revised Statutes of Texas of 1925, as amended by Acts of the Forty-fourth Legislature, and declaring an emergency."

The bill was read second time, and was passed to third reading.

#### SENATE BILL NO. 352 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 352, A bill to be entitled "An Act making an appropriation from the Treasury of the State of Texas from any funds not otherwise appropriated, to the Upper Colorado River Authority; providing for the method of drawing warrants; providing for the payment thereof, and declaring an emergency."

The bill was read second time, and was passed to third reading.

#### NOTICE GIVEN

Mr. Worley gave notice that he would, on the next legislative day, move to take up, for consideration, at that time, House Bill No. 373, which bill was heretofore laid on the table subject to call.

#### HOUSE BILL NO. 873 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 873, A bill to be entitled "An Act making an emergency appropriation for the Leon River Conservation Project, and declaring an emergency."

The bill was read second time.

Mr. Ross offered the following committee amendment to the bill:

Amend House Bill No. 873, by reducing the amount of \$2,000 to \$1,200.

Mr. Ross offered the following substitute for the committee amendment:

Amend House Bill No. 873, by striking out in line 23 the words and figures "Two Thousand (\$2,000.00) Dollars" and insert in lieu thereof the words and figures "Twelve Hundred (\$1,200.00) Dollars. Said money to be repaid out of the first moneys received."

The substitute amendment was adopted.

The committee amendment, as substituted, was then adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 873 was then passed to engrossment.

#### HOUSE BILL NO. 1046 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1046, A bill to be entitled "An Act declaring it unlawful to kill, take or trap any fox in Hood County, Texas, except during the months of December and January of each year; repealing all laws in conflict herewith, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

#### HOUSE BILL NO. 783 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 783, A bill to be entitled "An Act making an emergency appropriation to the State Health Department out of the General Fund in the State Treasury, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

#### HOUSE BILL NO. 820 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 820, A bill to be entitled "An Act to authorize cities, towns, counties and other public bodies to aid housing projects of housing authorities or of the United States of America by furnishing parks, playgrounds, streets and other improvements and facilities, by exercising certain other powers and by making agreements relating to such aid; to authorize cities, towns, counties, and other political subdivisions to contract with respect to the sums to be paid them for improvements, services and facilities to be provided for the benefit of housing projects; to require certain cities and counties to make an appropriation for the first years administrative expenses of housing authorities; and to authorize certain cities, towns, and counties to lend moneys to housing authorities, and declaring an emergency."

The bill was read second time.

Mr. Dickison offered the following amendment to the bill:

Amend House Bill No. 820 to hereafter apply only to cities of the population of 230,000 to 250,000, according to the last Federal Census, and to such cities only, and not to counties, districts or precincts.

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 820 was then passed to engrossment.

#### HOUSE BILL NO. 821 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 821, A bill to be entitled "An Act to declare the necessity of certain public bodies corporate and politic to be known as housing authorities to undertake slum clearance and projects to provide dwelling accommodations for persons of low income; to create such housing authorities in cities having a population of more than 5,000 and in counties; to define the powers and duties of housing

authorities and to provide for the exercise of such powers, including acquiring property, borrowing money, issuing bonds and other obligations, and giving security therefor; to provide that housing authorities, their property and securities shall be exempt from taxation and assessment, but to authorize certain payments in lieu of taxes; to provide for a certification of the bonds by the Attorney General; and to confer remedies on obligees of housing authorities, and to declare an emergency."

The bill was read second time.

Mr. Dickison offered the following amendment to the bill:

Amend House Bill No. 821, to hereafter apply only to cities of the population of 230,000 to 250,000 according to the last Federal Census, and to such cities only, and not to counties, districts or precincts.

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 821 was then passed to engrossment.

#### SENATE BILL NO. 305 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading.

S. B. No. 305, A bill to be entitled "An Act appropriating the fund provided for the use and benefit of the Comptroller in the administration and enforcement of the provisions of the Act as provided for in Section 9 of H. B. No. 89, Chapter 353, Acts of the Regular Session of the Forty-fourth Legislature, for the use and benefit of the Comptroller in administration of said Act from and after May 30, 1937, for the remainder of the fiscal year ending August 31, 1937, and declaring an emergency."

The bill was read second time, and was passed to third reading.

#### ADJOURNMENT

On motion of Mr. Hankamer, the House, at 10:55 o'clock p. m., adjourned until 10:00 o'clock a. m., tomorrow.

#### APPENDIX

#### STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills and resolutions, as follows:

Agriculture: House Simple Resolution No. 221.

Appropriations: House Bills Nos. 1025 and 1143; Senate Bills Nos. 140, 142 and 305.

Counties: Senate Bills Nos. 270 and 498.

Conservation and Reclamation: Senate Bill No. 497.

Criminal Jurisprudence: Senate Bill No. 103.

Education: Senate Bill No. 505.

Game and Fisheries: House Bills Nos. 1159, 1152 and 1156.

Insurance: Senate Bill No. 84.

Municipal and Private Corporations: House Bill No. 1160.

Revenue and Taxation: Senate Bill No. 489.

State Affairs: House Bills Nos. 831 and 1151; House Concurrent Resolutions Nos. 65 and 117.

#### REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,

Austin, Texas, May 3, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 144, A bill to be entitled "An Act to correct malpractice in the building construction industry by safeguarding the public against the irresponsible practice of the profession of architecture; defining and regulating the practice of architecture; creating a Board of Architectural Examiners; providing for appointment of the Board; fixing the terms of office; providing for appointment of their successors and for filling vacancies; fixing the qualifications of the members of said Board; requiring each member to take the oath of office and file same with the Secretary of State; providing for the election of various officers of said Board; requiring the bonding of the secretary-treasurer; providing for the adoption of necessary rules, regulations, and by-laws of

said Board to govern its proceedings and activities; prescribing the duties of the various members of said Board; providing for fees collected by said Board to be deposited in a special fund in the State Treasury; providing for an appropriation from said fund to pay salaries, compensations, and other expenses of said Board; providing certain excess funds to be diverted to the General Revenue Fund of the State; providing salary of the secretary-treasurer and certain compensation to other members of said Board; providing for special meetings of said Board; requiring the adoption of rules and regulations by said Board for the examination and registration of applicants to practice architecture; fixing the fee therefor; providing for the issuance of certificates to applicants in certain cases without examination and fixing the fee therefor; setting forth who shall be a registered architect in co-partnerships or firms; providing for the publishing by the Board, from time to time, of the list of approved schools; requiring every registered architect to have and use a seal on drawings and specifications; defining what persons are regarded as architects within the meaning of this Act; providing for the revocation and cancellation of registration certificates in certain cases; providing for the annual renewal of registration certificates issued under the provisions of this Act; providing for the reinstatement of registration certificates in certain cases; providing for the filing of a report of the proceeding of said Board in the office of the Secretary of State; providing penalties for pursuing the practice of architecture without having a registration certificate in accordance with this Act, or for violating the provisions of this Act; exempting practice of architecture by persons acting solely as officers or employees of the United States from the provisions of this Act; exempting from the provisions of this Act qualified architects residing outside this State, who have no office in this State, provided such architects, when performing architectural work in this State work with a registered architect of this State as a consultant, or act as a consultant to such an architect; providing for certain other things incidental to various portions of this Act; providing against any invalid part of this Act invalidating the remainder thereof or any part thereof; repealing all laws

in conflict with this Act, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

WESTBROOK, Vice-Chairman.

Austin, Texas, May 3, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 11, A bill to be entitled "An Act defining public utilities and providing for their regulation; creating the Public Utilities Commission of Texas, and fixing the qualifications, duties, powers, and compensation of the members thereof; providing the jurisdiction of said Public Utilities Commission and the manner in which such jurisdiction shall be exercised; providing the manner of conducting proceedings before said Public Utilities Commission; providing the manner in which the said Public Utilities Commission may pass orders and providing for appeals from the same to the courts of this State; providing penalties for the violation of this Act; raising revenues and making appropriations to support said Commission; providing for the repeal of all laws and parts of laws in conflict herewith; providing that if any section, clause or other provision of this Act be held unconstitutional or otherwise invalid or unenforceable, such holding shall not affect the validity of the remaining portion of this Act, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

WESTBROOK, Vice-Chairman.

Austin, Texas, April 30, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 581, A bill to be entitled "An Act prohibiting the sale of contraceptive devices, prophylactic rubber goods and articles for the prevention of venereal and other diseases and infections, or any sex inciting devices or contrivances, except by registered pharmacists or licensed physicians; providing licensing dealers and a penalty for violation of this Act; providing a savings clause, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

WESTBROOK, Vice Chairman.

Austin, Texas, May 4, 1937.  
Hon. R. W. Calvert, Speaker of the  
House of Representatives.

Sir: Your Committee on Engrossed  
Bills, to whom was referred

H. C. R. No. 65, Granting John  
Haney and Lockwood Allison permis-  
sion to sue the State Liquor Board  
and/or the State of Texas.

Has carefully compared same and  
finds it correctly engrossed.

WESTBROOK, Vice Chairman.

Austin, Texas, May 4, 1937.  
Hon. R. W. Calvert, Speaker of the  
House of Representatives.

Sir: Your Committee on Engrossed  
Bills, to whom was referred

H. C. R. No. 90, Granting Mr. R.  
L. Gillespie permission to sue the  
State of Texas.

Has carefully compared same and  
finds it correctly engrossed.

WESTBROOK, Vice Chairman.

Austin, Texas, May 4, 1937.  
Hon. R. W. Calvert, Speaker of the  
House of Representatives.

Sir: Your Committee on Engrossed  
Bills, to whom was referred

H. C. R. No. 89, Granting Mrs.  
Mary Esther Ramsey permission to  
sue the State.

Has carefully compared same and  
finds it correctly engrossed.

WESTBROOK, Vice Chairman.

Austin, Texas, May 4, 1937.  
Hon. R. W. Calvert, Speaker of the  
House of Representatives.

Sir: Your Committee on Engrossed  
Bills, to whom was referred

H. C. R. No. 116, Providing for  
the Joint Rules of the two Houses  
of the Texas Legislature.

Has carefully compared same and  
finds it correctly engrossed.

WESTBROOK, Vice Chairman.

#### REPORTS OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,  
Austin, Texas, April 30, 1937.  
Hon. R. W. Calvert, Speaker of the  
House of Representatives.

Sir: Your Committee on Enrolled  
Bills, to whom was referred

H. B. No. 216, "An Act to amend  
Articles 2503, 2504, and 2507, Title

46, Revised Civil Statutes of Texas,  
1925, having relation to the capital  
structure and interest charges of mu-  
tual loan corporations; providing the  
Act shall be applicable to all exist-  
ing corporations as well as any here-  
after organized under said Statutes,  
and declaring an emergency."

Has carefully compared same and  
finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, May 4, 1937.  
Hon. R. W. Calvert, Speaker of the  
House of Representatives.

Sir: Your Committee on Enrolled  
Bills, to whom was referred

H. B. No. 861, "An Act authorizing  
political subdivisions of the State of  
Texas to lease lands owned by such  
subdivisions for mineral development  
purposes and prescribing the method  
and manner of making such leases,  
and declaring an emergency."

Has carefully compared same and  
finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, May 4, 1937.  
Hon. R. W. Calvert, Speaker of the  
House of Representatives.

Sir: Your Committee on Enrolled  
Bills, to whom was referred

H. B. No. 275, "An Act to provide  
for the repurchase of land located in  
Dallam and Hartley Counties hereto-  
fore set apart to build the Capitol  
Building of the State of Texas, that  
has been recovered by the State, and  
repurchased as provided by the laws  
of this State and forfeited or that is  
subject to being forfeited for nonpay-  
ment of interest and certain lands in  
Block 76 in Loving County not for-  
feited, reappraised, and repurchased  
under the terms and conditions pro-  
vided in Chapter 94, page 267, Acts  
of 1925, as amended by the Acts of  
1926, Thirty-ninth Legislature, First  
Called Session, Chapter 25, page 43,  
and/or principal accrued prior to the  
date of the passage of this Act, and  
giving a preference right to the own-  
ers of such lands or part thereof at  
any time within ninety (90) days  
after the date of notice of revalua-  
tion of such land to repurchase the  
same upon the terms and conditions  
provided in Chapter 94, page 267, Acts  
of 1925, as amended by Acts of 1926,  
Thirty-ninth Legislature, First Called  
Session, page 43, Chapter 25; and

providing that any owner or owners of such land may ask that such owner's or owners' land be forfeited as provided by law whether the same is delinquent or not and that he be allowed to repurchase said land at the price placed thereon by a new appraisal; providing for reappraisal of said land; and further providing for the payment of taxes on said land; providing the Commissioner of the General Land Office shall submit a statement showing the valuation placed upon each separate tract, to the Governor and the Attorney General which it shall be their duty to approve or disapprove, and if approved by both, the same shall be sold as above provided, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, May 4, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 75, "An Act amending Article 2350 of the Revised Civil Statutes of 1925 as amended by Chapter 362, Acts of the Forty-fourth Legislature, so as to add thereto a new Section to be known as Section 2350 (4); providing for the salaries of Commissioners in certain counties; providing for actual and necessary expenses for Commissioners in the conduct of office in certain counties; providing for approval thereof; fixing population and assess valuation as brackets therein, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, May 3, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 726, "An Act creating and establishing San Antonio River Canal and Conservancy District under authority of Section 59 of Article 16 of the Constitution of the State of Texas to be a governmental agency, municipality, body politic and corporate; defining certain words and expressions used therein; designating

the area of the District; specifying certain powers; providing the District shall not have power to authorize assessment or collection of taxes or charges or have the power of Eminent Domain in certain Counties; providing for a Board of Directors as a governing body of the District; fixing compensation for said Directors; providing for the cooperation of State officers; providing for enforcement of certain rules and regulations; providing a saving clause, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, May 4, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1086, "An Act amending Section 2 of Article 3883, Revised Civil Statutes of Texas, 1925, as amended by Chapter 20, Acts of the Forty-first Legislature, Fourth Called Session, as amended by Chapter 340, Acts of the Forty-second Legislature, Regular Session, as amended by Chapter 220, Acts of the Forty-third Legislature, Regular Session, providing that in counties containing not less than twenty-nine thousand, five hundred (29,500) nor more than thirty thousand (30,000) population, according to the last preceding Federal Census, the Justice of the Peace shall be allowed to retain out of the fees collected by such officer the sum of Twenty-four Hundred (\$2,400.00) Dollars, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, May 4, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1071, "An Act to be designated as Article 2350m providing for traveling expenses for members of the Commissioners Court in certain counties in this State, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.